

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: NORTH SEA BRENT CRUDE OIL
FUTURES LITIGATION

Master File No. 13-md-02475-ALC-SN

ECF Case

FTC CAPITAL GMBH, on behalf of itself and
all others similarly situated,

Plaintiff,

Case No. 13 Civ. 8151

v.

ROYAL DUTCH SHELL PLC, BP PLC,
STATOIL ASA, MORGAN STANLEY,
TRAFIGURA BEHEER B.V., TRAFIGURA
AG, PHIBRO TRADING LLC, VITOL, S.A.
and JOHN DOES 1-50,

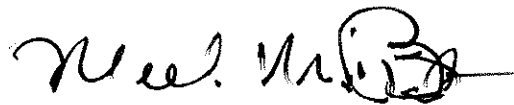
Defendants.

DECLARATION OF MICHAEL M. BUCHMAN

I, MICHAEL M. BUCHMAN, hereby declare as follows:

1. Attached hereto as Exhibit A is the current firm resume of Motley Rice LLC.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge. Executed this 20th day of November, 2013.



Michael M. Buchman

EXHIBIT A

**SHAREHOLDER AND
SECURITIES FRAUD
RESUME**



MotleyRice[®]
ATTORNEYS AT LAW ^{LLC}

INTRODUCTION:

Founded as a trial lawyers' firm with a complex litigation focus by Ron Motley, Joe Rice and nearly 50 other lawyers, Motley Rice LLC has become one of the nation's largest plaintiffs' law firms.

Motley Rice LLC ("Motley Rice") is led by lawyers who received their training and trial experience in complex litigation involving in-depth investigations, discovery battles and multi-week trials.

From asbestos and tobacco to counter-terrorism and human rights cases, Motley Rice attorneys have shaped developments in U.S. jurisprudence over several decades. Shareholder litigation has earned an increasing portion of our firm's focus in recent years as threats to global retirement security have increased. Motley Rice seeks to create a better, more secure future for pensioners, unions, government entities and institutional investors through improved corporate governance and accountability.

APPROACH TO SECURITIES LITIGATION

As concerns about our global financial system have intensified, so has our focus on securities litigation as a practice area. As one presenter at the 2009 International Foundation of Employee Benefit Plans annual conference noted, "2008 likely will go down in history as one of the worst years for retirement security in the United States."

Our securities litigation philosophy is straightforward – obtain the best possible results for our clients and any class of investors we represent. Unlike some other firms, we are extremely selective about the cases that we recommend our clients pursue, recognizing that many securities fraud class action cases filed each year are unworthy of an institutional investor's involvement for a variety of reasons.

Our attorneys have substantial experience analyzing securities cases and advising institutional investor clients, whether to seek lead-plaintiff appointment (alone or with a similarly-minded group), remain an absent class member, or consider an opt-out case based on the particular factual and legal circumstances of the case.

When analyzing new filings, our attorneys draw upon their securities, business, and litigation experience, which is supplemented by our in-house team of paralegals and business analysts. In addition, the firm has developed close working relationships with widely-respected forensic accountants and expert witnesses, whose involvement at the earliest stages of complex cases can be critical to determining the best course of action. If Motley Rice believes that a case deserves an institutional investor's involvement, we provide our clients with a detailed written analysis of potential claims and loss-recoupment strategies.

Motley Rice attorneys have secured important corporate governance reforms and returned money to shareholders in shareholder derivative cases, served as lead or co-lead counsel in several significant, multi-million dollar securities fraud class actions, and taken leadership roles in cases involving fiduciaries who failed to maximize shareholder value and fulfill disclosure obligations in a variety of merger and acquisition cases.



BACKGROUND:

BACKGROUND IN COMPLEX LITIGATION

Asbestos Litigation

From the beginning, our lawyers were integral to the story of how “a few trial lawyers and their asbestos-afflicted clients came out . . . to challenge giant asbestos corporations and uncover the greatest and longest business cover-up of an epidemic disease, caused by a product, in American history.”¹ Motley Rice has represented numerous public entities in asbestos cases, including Canadian provincial compensation boards in subrogation actions and many state subdivisions in property-damage cases. Our attorneys have litigated claims alleging various insurers of asbestos defendants engaged in unfair settlement practices in connection with the resolution of underlying asbestos personal injury claims. This litigation resulted in, among other things, an eleven-state settlement with Travelers Insurance Company, which is presently working its way through the appellate process.

Tobacco Master Settlement Agreement

In the 1990s, Motley Rice attorneys took on the tobacco industry. Armed with evidence acquired from whistleblowers, individual smokers’ cases and tobacco liability class actions, the attorneys led the campaign of 26 states’ attorneys general to recoup state healthcare funds and exact marketing restrictions from cigarette manufacturers. Through the litigation, “a powerful industry was forced by U.S. courts to reveal its internal documents, documents that explain what nine tobacco companies knew, when they knew it and what they concealed from the public about their dangerous product.”² The effort resulted in significant restrictions on cigarette marketing to children and culminated in the \$246 billion Master Settlement Agreement, the largest civil settlement in U.S. history.

Anti-Terrorism and Human Rights

At the request of victims’ families and survivors of the 9/11 terrorist attacks, our attorneys initiated legal action against the airline industry for security lapses in *In re September 11 Litigation*, representing 56 families that opted out of the Victim Compensation Fund in the hope of gaining fuller answers and obtaining greater accountability. The resulting settlements shattered a settlement matrix developed and utilized for decades. The family in the last remaining case, *Bavis v. United Airlines*, reached a settlement agreement in September 2011, bringing to an end nearly a decade of wrongful death litigation in connection with the attacks.

In *In re Terrorist Attacks on September 11, 2001*, Motley Rice attorneys brought a landmark lawsuit against the alleged private and state sponsors of al Qaeda and Osama bin Laden in an action filed on behalf by more than 6,500 family members, survivors, and those killed on 9/11, including more than 1,000 firefighters. Motley Rice has since undertaken a global investigation into terrorism financing, and, in keeping with our “no stone left unturned” discovery philosophy, spent more in the first 18 months of our investigation of al Qaeda’s financing than the \$15 million budgeted by the U.S. Congress for the entire 9/11 Commission.

BP PLC Oil Spill Litigation

In April 2010, the Deepwater Horizon disaster spilled approximately 4.9 million gallons of oil into the water, killed 11 oil rig workers, devastated our nation’s natural resources and profoundly harmed the economic and emotional well-being of hundreds of thousands of people. The Deepwater Horizon Economic and Property Damages Settlement is the largest civil class action settlement in U.S. history and will provide billions of dollars to resolve eligible claims. Motley Rice co-founder Joseph Rice, a PSC member, served as one of the primary negotiators of the Settlement, and many other of the firm’s attorneys played central roles in the negotiation process and the development of the Medical Benefits Settlement.

¹Ralph Nader, commenting on the story told by the book *Outrageous Misconduct*.

²World Health Org., *The Tobacco Industry Documents: What They Are, What They Tell Us, and How to Search Them*, at 1 (July 2004), available at http://www.who.int/tobacco/communications/TI_manual_content.pdf. As explained in this guide, documents obtained by Motley Rice lawyers during the state of Mississippi’s lawsuit against the industry comprise a distinct 54,000-document collection. *Id.* at 21.

Securities Fraud Class Actions

Alaska Electrical Pension Fund v. Pharmacia Corp., No. 03-1519 (D.N.J.). Motley Rice served as co-class counsel in federal securities fraud litigation alleging that the defendants misrepresented clinical trial results of Celebrex® to make its safety profile appear better than rival drugs. In January 2013, the lawsuit settled in mediation for \$164 million.

Minneapolis Firefighters' Relief Association v. Medtronic, Inc., No. 08-6324 (PAM/AJB) (D. Minn.). Motley Rice is co-lead counsel for a class of investors who purchased Medtronic common stock in this case that survived the defendants' motion to dismiss. The suit alleges that Medtronic engaged in a pervasive campaign of illegal off-label marketing in which the company advised doctors to use Medtronic's Infuse Bone Graft in ways not FDA-approved, leading to severe complications in patients. Medtronic's stock price dropped significantly after investors learned that the FDA and Department of Justice were investigating Medtronic's off-label marketing. The \$85 million settlement was approved on Nov. 8, 2012.

South Ferry LP #2 v. Killinger, No. C04-1599C-(W.D. Wash.) (regarding Washington Mutual). Motley Rice served as co-lead counsel on behalf of a class of investors who purchased WaMu common stock between April 15, 2003, and June 28, 2004. The suit alleged that WaMu misrepresented its ability to hedge risk and withstand changes in interest rates, as well as its integration of differing technologies resulting from various acquisitions. The Court granted class certification in January 2011 and approved the \$41.5 million settlement on June 5, 2012.

In re Dell, Inc. Securities Litigation, No. A-06-CA-726-SS (W.D. Tex.). Motley Rice was appointed lead counsel for the lead plaintiff, Union Asset Management Holding AG, which sued on behalf of a class of purchasers of Dell common stock. The suit alleged that Dell and certain senior executives lied to investors and manipulated financial announcements to meet performance objectives that were tied to executive compensation. The defendants' alleged fraud ultimately caused the price of Dell's stock to decline by over 40 percent. After the case was dismissed by the district court, Motley Rice attorneys launched an appeal to the Fifth Circuit Court of Appeals. After fully briefing the case and oral arguments, the parties settled the case for \$40 million.

In re MBNA Corporation Securities Litigation, No. 05-CV-00272-GMS (D. Del.). Motley Rice served as co-lead counsel on behalf of investors who purchased MBNA common stock. The suit alleged that MBNA manipulated its financial statements in violation of GAAP, and MBNA executives sold over one million shares of stock based on inside information for net proceeds of more than \$50 million, knowing these shares would drop in value once MBNA's true condition was revealed to the market. The case was settled with many motions pending. The \$25 million settlement was approved on October 6, 2009.

In re NPS Pharmaceuticals, Inc. Securities Litigation, No. 2:06-cv-00570-PGC-PMW (D. Utah). Motley Rice represented the lead plaintiff as sole lead counsel in a class action brought on behalf of stockholders of NPS Pharmaceuticals, Inc., concerning the drug PREOS. NPS claimed that PREOS would be a "billion dollar drug" that could effectively treat "millions of women around the world who have osteoporosis." The complaint alleged fraudulent misrepresentations regarding PREOS's efficacy, market potential, prospects for FDA approval and dangers of hypercalcemic toxicity. The case settled after the lead plaintiff moved for class certification and the parties engaged in document production and protracted settlement negotiations. The \$15 million settlement was approved on June 18, 2009.

In re Citigroup Inc. Securities Litigation, No. 07 Civ. 9901 (SHS) (DCF) (S.D.N.Y.). Motley Rice serves as co-counsel in this securities fraud action alleging that Citigroup responded to the widely-known financial crisis by concealing both the extent of its ownership of toxic assets—most prominently, collateralized debt obligations (CDO) backed by nonprime mortgages—and the risks associated with them. By alleged misrepresentations and omissions of what amounted to more than two years of income and an entire significant line of business, Citigroup allegedly artificially manipulated and inflated its stock prices throughout the class period. Citigroup's alleged actions caused its stock price to trade in a range of \$42.56 to \$56.41 per share for most of the class period. These disclosures helped place Citigroup in serious danger of insolvency, a danger that was averted only through a \$300 billion dollar emergency government bailout. On August 1, 2013, the Court approved the settlement resolving all claims in the Citigroup action in exchange for payment of \$590 million for the benefit of the class.

Cornwell v. Credit Suisse Group, No. 08 Civ. 3758 (VM) (S.D.N.Y.). Motley Rice served as co-counsel in an action against Credit Suisse Group alleging the defendants issued materially false and misleading statements regarding the company's business and financial results and failed to write down impaired securities containing mortgage-related debt. Subsequently, Credit Suisse's stock price relative to other market events declined 2.83 percent when impaired securities came to light. A \$70 million settlement was approved in July 2011.

In re Forest Laboratories, Inc. Securities Litigation, No. 05 Civ. 2827 (RMB) (S.D.N.Y.). Motley Rice represented PIUMPF in a securities fraud class action alleging that the company and its officers misrepresented the safety, efficacy, and side effects of several drugs. Motley Rice, in cooperation with other class counsel, helped the parties reach a \$65 million settlement that was approved on May 15, 2009.

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In re Molson Coors Brewing Co. Securities Litigation, No. 1:05-cv-00294 (D. Del.). Motley Rice served as co-lead counsel for co-lead plaintiffs Drywall Acoustic Lathing and Insulation Local 675 Pension Fund and Metzler Investment GmbH in litigation against Molson Coors Brewing Co. and several of its officers and directors. The lawsuit alleged that, following the February 9, 2005, merger of Molson, Inc. and the Adolph Coors Company, the defendants fraudulently misrepresented the financial and operational performance of the combined company prior to reporting a net loss for the first quarter of 2005. Following protracted negotiations, the parties reached a \$6 million settlement in May 2009.

Marsden v. Select Medical Corporation, No. 04-cv-4020 (E.D. Pa.). Motley Rice served as co-lead counsel on behalf of stockholders of Select Medical, a healthcare provider specializing in long-term care hospital facilities. The suit alleged that Select Medical exploited its business structure to improperly maximize Medicare reimbursements, misled investors and that the company's executives engaged in massive insider trading for proceeds of over \$100 million. A \$5 million settlement was reached and approved on April 15, 2009.

Welmon v. Chicago Bridge & Iron Co., N.V., No. 06-CV-01283 (JES) (S.D.N.Y.). Motley Rice represented the co-lead plaintiff in this case that alleged that the defendants issued numerous materially false and misleading statements which caused CB&I's securities to trade at artificially inflated prices. The litigation resulted in a \$10.5 million settlement that was approved on June 3, 2008.

City of Brockton Retirement System v. Avon Products, Inc., No. 11 Civ. 4665 (PGG) (S.D.N.Y.). Motley Rice serves as lead counsel representing lead plaintiffs, as well as the City of Brockton Retirement System, in this class action on behalf of all persons who acquired Avon common stock between July 31, 2006 and Oct. 26, 2011. The action alleges that the defendants falsely assured investors they had effective internal controls and accounting systems, as required under the Foreign Corrupt Practices Act (FCPA). In October 2008, Avon disclosed that it had begun an investigation into possible FCPA violations in China in June 2008. The action alleges that, unbeknownst to investors, Avon had an illegal practice of paying bribes in violation of the FCPA extending as far back as 2004 and which continued even after its October 2008 disclosure. Despite its certifications of the effectiveness of its internal controls, Avon's internal controls were allegedly severely deficient, allowing the company to engage in millions of dollars of improper payments in more than a dozen countries. This case is ongoing.

Hill v. State Street Corporation, No. 09-cv-12146-NG (D. Mass.). Motley Rice represents institutional investors as co-lead counsel against State Street. The action alleges that State Street defrauded institutional investors – including the state of California's two largest pension funds, California Public

Employees' Retirement System (CalPERS) and California State Teachers' Retirement System (CalSTRS) – by overcharging them for foreign exchange trades. The action also alleges that State Street misled investors about the quality of its portfolio of mortgage-backed securities. On Aug. 3, 2011, the U.S. District Court for the District of Massachusetts denied the defendants' motion to dismiss, and the case is currently in discovery.

In re Synovus Financial Corp., No. 1:09-cv-01811 (N.D. Ga.). Motley Rice and our client, Sheet Metal Workers' National Pension Fund, serve as court-appointed co-lead counsel and co-lead plaintiff for investors in Synovus Financial Corp. The lawsuit alleges that the bank artificially inflated its stock price by concealing its troubled lending relationship with the Sea Island Company, a resort real estate and hospitality company to whom Synovus allegedly made hundreds of millions of dollars of "insider loans" with "little more than a handshake" facilitated by personal relationships among certain senior executives and board members. On March 23, 2012, the federal court denied the defendants' motion to dismiss and the plaintiffs moved to certify the case as a class action.

Bennett v. Sprint Nextel Corporation, No. 2:09-cv-02122-EFM-KMH (D. Kan.). As co-lead counsel, we represent the PACE Industry Union-Management Pension Fund (PIUMPF) and several other institutional investors who purchased Sprint Nextel common stock. The class action complaint alleges that the defendants made materially false and misleading statements regarding Sprint's business and financial results. As a result, it is alleged that Sprint stock traded at artificially inflated prices during the class period and that, when the market learned the truth, the value of Sprint's shares plummeted. The court denied the defendants' motion to dismiss in its entirety in 2011, and the action is currently in discovery.

In re UBS AG Securities Litigation, No. 07 Civ. 11225 (RJS) (S.D.N.Y.). Motley Rice serves as co-lead counsel on behalf of purchasers of UBS common stock. The suit alleges that UBS knowingly invested in risky mortgage-backed securities during a steep decline in the mortgage industry and in direct contravention of its risk management policies and public representations. In addition, plaintiffs allege that UBS's senior executives continued to deceive its shareholders and make material misrepresentations after it learned that its \$100 billion mortgage-backed asset portfolio was significantly overvalued. A motion to dismiss was granted in 2012. An appeal was filed on Feb. 8, 2013, and the case is ongoing.

City of Sterling Heights General Employees' Retirement System v. Hospira, Inc., No. 11 C 8332 (N.D. Ill.). Motley Rice serves as co-lead counsel in this class action that was filed on behalf of all persons who purchased or acquired common stock of Hospira between March 24, 2009, and Oct. 17, 2011, and alleges that, during the class period, the defendants knew (but concealed from the investing public) that Hospira suffered from extensive

quality control problems that undermined the viability and touted benefits of its new growth strategy called "Project Fuel." The defendants also allegedly failed to disclose the extent of Hospira's inability to comply with problems identified in the FDA's Warning Letters regarding the company's quality controls, manufacturing processes and infusion pumps. As a result of the defendants' alleged wrongful acts and the decline in the market value of the company's stock, Hospira investors suffered significant losses. The litigation is in the discovery phase.

Shareholder Derivative Litigation

Manville Personal Injury Settlement Trust v. Gemunder, No. 10-CI-01212 (Ky. Cir. Ct.) (regarding Omnicare, Inc.). On April 14, 2010, Motley Rice filed a shareholder derivative complaint on behalf of plaintiff Manville Personal Injury Settlement Trust. Plaintiff's claims stem from a November 3, 2009, announcement by the U.S. Department of Justice that Omnicare, Inc. had agreed to pay \$98 million to settle state and federal investigations into three kickback schemes through which the company paid or solicited payments in violation of state and federal anti-kickback laws. The court denied the defendants' motions to dismiss in their entirety on April 27, 2011. The defendants sought an interlocutory appeal, which was denied on October 6, 2011. Following significant discovery, which included plaintiff's counsel's review and analysis of literally millions of pages of documents, the parties reached agreement on a settlement. Under the settlement, a \$16.7 million fund will be created to be used over a four year period by Omnicare to fund certain corporate governance measures and provide funding for the company's compliance committee in connection with the performance of its duties. Additionally, the settlement calls for Omnicare to adopt and/or maintain corporate governance measures relating to, among other things, employee training and ensuring the appropriate flow of information to the compliance committee. On August 9, 2013, the court granted preliminary approval to the settlement. A final settlement approval hearing is scheduled for October 28, 2013.

Service Employees International Union v. Hills, No. A0711383 (Ohio Ct. Com. Pl.) (regarding Chiquita Brands International, Inc.). In this shareholder derivative litigation, SEIU retained Motley Rice to bring an action on behalf of Chiquita Brands International. The plaintiff alleged that the defendants breached their fiduciary duties by paying bribes to terrorist organizations in violation of U.S. and Columbian law. In October 2010, the plaintiffs resolved their state court action as part of a separate federal derivative claim.

Mercier v. Whittle, No. 2008-CP-23-8395 (S.C. Ct. Com. Pl.) (regarding the South Financial Group). This shareholder derivative action was brought on behalf of South Financial Group, Inc., following the company's decision to apply for federal bailout money from the Troubled Asset Relief Program (TARP) while allegedly accelerating the retirement of its former

chairman and CEO to protect his multi-million dollar golden parachute, which would be prohibited under TARP. The litigation was settled prior to trial and achieved, among other benefits, payment back to the company from chairman Whittle, increased board independence and enhanced shareholder rights.

Pompano Beach Police & Firefighters' Retirement System v. Page, No. 7064-CS (Del. Ch.) (regarding Google, Inc.). On November 23, 2011, Motley Rice filed a shareholder derivative complaint on behalf of its institutional investor client against the Board of Directors of Google, Inc. in connection with the August 24, 2011 announcement by the U.S. Department of Justice that Google had agreed to pay \$500 million to settle a federal investigation into allegations that it improperly accepted advertisements from online Canadian pharmacies that import prescription drugs into the United States. The case is currently stayed while parallel shareholder litigation proceeds in California federal court.

California State Teachers' Retirement System v. Blankenship, No. 10-C-715 (W. Va. Cir. Ct.) (regarding Massey Energy Co.); and **Manville Personal Injury Settlement Trust v. Blankenship**, No. 07-C-1333 (W. Va. Cir. Ct.) (regarding Massey Energy Co.). In the wake of the deadliest coal mining disaster in a generation on April 5, 2010, at Massey Energy Company's Upper Big Branch mine, Motley Rice filed suit on behalf of investors against Massey officers and directors, simultaneously prosecuting a civil contempt action against the directors and a shareholder derivative action against all defendants. In the shareholder derivative action, the firm serves as lead counsel, representing co-lead plaintiffs Amalgamated Bank, the Manville Trust, and the California State Teachers' Retirement System (CalSTRS), the largest teachers' retirement fund and second largest public pension fund in the United States. The Manville Trust is the named plaintiff in the civil contempt proceeding. Following significant progress in these cases, Massey Energy made substantial corporate governance changes before announcing that controversial Chairman and CEO Don Blankenship would retire at the end of 2010. Such corporate governance enhancements and Blankenship's retirement are primary objectives of this ongoing litigation. (See *continued discussion under Corporate Takeover Litigation section.*)

Manville Personal Injury Settlement Trust v. Farmer, No. A 0806822 (Ohio Ct. Com. Pl.) (regarding Cintas Corporation). In this shareholder derivative action brought on behalf of Cintas Corporation, the plaintiff alleged that the defendants breached their fiduciary duties by, among other things, failing to cause the company to comply with applicable worker safety laws and regulations. In November 2009, the court approved a settlement agreement that provided for the implementation of corporate governance measures designed to increase the flow of employee safety information to the company's board; ensure the company's compliance with a prior agreement between itself and OSHA relating to workplace safety violations; and secure the attendance of the company's chief health and safety officer at shareholder meetings.

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Sheet Metal Workers' National Pension Fund v. Ritter, No. 2009-001980 (Ala. Cir. Ct.) (regarding Regions Financial Corporation). In this shareholder derivative action brought on behalf of Regions Financial Corporation, the plaintiff alleges that the defendants breached their fiduciary duties by, among other things, engaging in self-dealing. This action is pending.

Corporate Takeover Litigation

In re The Shaw Group, Inc., Shareholders Litigation, No. 614399 (19th Jud. Dist. La.). Motley Rice attorneys served as co-lead counsel in this class action brought by our client, a European asset management company, on behalf of the public shareholders of The Shaw Group, Inc. The lawsuit challenged Shaw's proposed sale to Chicago Bridge & Iron Company N.V. in a transaction valued at approximately \$3.04 billion. The plaintiffs alleged that the defendants breached their fiduciary duties to Shaw's shareholders by agreeing to a transaction that was financially unfair and the result of an improper sales process, which the defendants pursued at a time when Shaw's stock was poised for significant growth. The plaintiffs also alleged that the transaction offered substantial benefits to Shaw insiders not shared with the company's public shareholders. In December 2012, the parties reached a settlement with two components. Shaw agreed to make certain additional disclosures to shareholders of financial analyses indicating a potential share price impact of certain alternative transactions of as much as \$19.00 per share versus the status quo. To provide a remedy for Shaw shareholders who believed the company was worth more than CB&I was paying for it, the settlement contained a second component – universal appraisal rights for all Shaw shareholders who properly dissented from the proposed merger, and the opportunity for Shaw dissenters to pursue that remedy on a class-wide basis. The court granted final approval of the settlement on June 28, 2013.

In re Coventry Health Care, Inc. Securities Litigation, No. 7905-CS (Del. Ch.). Motley Rice represents three public pension funds as court-appointed sole lead counsel in a shareholder class action challenging the \$7.2 billion acquisition of Coventry Health Care, Inc., by Aetna, Inc. The plaintiffs allege that the defendants breached their fiduciary duties to Coventry's shareholders by undertaking a flawed process, involving a severely conflicted financial advisor, to sell Coventry at a time when it was poised for remarkable growth as a result of recent government healthcare reforms. A preliminary settlement has been reached, which provides for improvements to the deal's terms and enhanced disclosures.

In re Allion Healthcare, Inc. Shareholders Litigation, No. 5022-cc (Del. Ch.). Motley Rice attorneys served as co-lead counsel representing a group of institutional shareholders in their challenge to the going-private buy-out of Allion Healthcare, Inc., by private equity firm H.I.G. Capital, LLC, and a group of insider stockholders led by the company's CEO, who controlled about 41 percent the company's shares. The shareholders alleged that the CEO used his stock holdings and influence over board

members to accomplish the buyout at the expense of Allion's public shareholders. After a lengthy mediation, the shareholders succeeded in negotiating a settlement resulting in a \$4 million increase in the merger consideration available to shareholders. In January 2011, the Delaware Court of Chancery approved the settlement.

In re RehabCare Group, Inc. Shareholders Litigation, No. 6197-VCL (Del. Ch.). Motley Rice represented institutional shareholders in their challenge to the acquisition of healthcare provider RehabCare Group, Inc., by Kindred Healthcare, Inc. As co-lead counsel, Motley Rice uncovered important additional facts about the relationship between RehabCare, Kindred, and the exclusive financial advisor for the transaction, as well as how those relationships affected the process RehabCare's board of directors undertook to sell the company. After extensive discovery, the parties reached a settlement in which RehabCare agreed to make a \$2.5 million payment for the benefit of RehabCare shareholders. In addition, RehabCare and Kindred agreed to waive certain standstill agreements with potential higher bidders for the company; lower the merger agreement's termination fee from \$26 million to \$13 million to encourage any potential higher bidders; eliminate the requirement that Kindred have a three-business day period during which it has the right to match any superior proposal; and make certain additional public disclosures about the proposed merger. The Delaware Court of Chancery granted final approval of the settlement on Sept. 8, 2011.

In re Atheros Communications Inc. Shareholder Litigation, No. 6124-VCN (Del. Ch.). In this action involving Qualcomm Incorporated's proposed acquisition of Atheros Communications, Inc., for approximately \$3.1 billion, Motley Rice served as co-lead counsel representing investors alleging that, among other things, Atheros' preliminary proxy statement was materially misleading to the company's shareholders, who were responsible for voting on the proposed acquisition. In March 2011, the Court issued a preliminary injunction delaying the shareholder vote, ruling that Atheros' proxy statement was materially misleading because, even though the proxy stated that the company's CEO "had not had any discussions with Qualcomm regarding the terms of his potential employment," it failed to disclose that he in fact "had overwhelming reason to believe he would be employed by Qualcomm after the transaction closed." The proxy also failed to inform shareholders of an almost entirely contingent \$24 million fee to the company's financial adviser, Catalyst Partners, LLP.

California State Teachers' Retirement System v. Blankenship, No. 10-C-715 (W. Va. Cir. Ct.) (regarding Massey Energy Co.). (Continued discussion from Shareholder Derivative Litigation section). On January 29, 2011, a proposed merger between Massey Energy Company and Alpha Natural Resources was announced. A subsequent announcement that a key defendant, Massey's COO Chris Adkins, would be in charge of implementing Alpha's safety program across the post-merger company and

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that other primary defendants would also be offered positions. The co-lead plaintiffs filed an amended complaint seeking to enjoin the merger and force complete disclosure to Massey's shareholders on May 2, 2011. Following expedited discovery and the circuit court's refusal to consider an injunction ahead of the June 1, 2011, shareholder vote, the co-lead plaintiffs filed an emergency petition for preliminary injunction in the West Virginia Supreme Court. Although the court declined to exercise jurisdiction, it effectively granted a portion of the relief sought by unsealing the emergency petition on May 31, 2011, one day before the shareholder vote. The unsealed petition revealed a secret pact between Massey lead independent director Bobby Inman and Alpha CEO Kevin Crutchfield through which the defendants allegedly hoped to escape liability. As revealed by the emergency petition, pursuant to an Oct. 1, 2010, telephone call, Inman had Crutchfield pledge to hire Adkins, three other main defendants in the shareholder derivative action and the two men responsible for operating the Upper Big Branch mine. A hearing on a motion to dismiss was held in August 2011, and that motion is still pending largely as a result of the ongoing federal criminal investigation that has stayed all civil litigation related to the explosion. In *Manville Personal Injury Settlement Trust v. Blankenship* (W. Va. Cir. Ct.), issues relating to a contempt petition are on appeal.

Maric Capital Master Fund, Ltd. v. PLATO Learning, Inc., No. 5402-VCS (Del. Ch.). The firm's institutional investor client won a partial preliminary injunction against the proposed acquisition of PLATO Learning, Inc., by a private equity company. In its ruling, the Delaware Court of Chancery found that the target company's proxy statement was misleading to its shareholders and omitted material information. The court's opinion has since been published and has been cited by courts and the legal media.

In re Lear Corporation Shareholder Litigation, No. 2728-N (Del. Ch.). In this deal case, Motley Rice helped thwart a merger out-of-line with shareholder interests. Motley Rice represented an institutional investor in this case and, along with Delaware co-counsel, was appointed co-chair of the Plaintiffs' Executive Committee. Motley Rice and its co-counsel conducted expedited discovery and the briefing. The court ultimately granted in part and denied in part the plaintiffs' motion for a preliminary injunction. In granting the injunction, the court found a reasonable probability of success in the plaintiffs' disclosure claim concerning the Lear CEO's conflict of interest in securing his retirement through the proposed takeover. Lear shareholders overwhelmingly rejected the merger.

Helaba Invest Kapitalanlagegesellschaft mbH v. Fialkow, No. 2683-VCL (Del. Ch.) (regarding National Home Health Care Corp.). This action was brought on behalf of the shareholders of National Home Health Care Corporation in response to the company's November 2006 announcement that it had entered into a merger agreement with affiliates of Angelo Gordon. The matter settled prior to trial and was approved on April 18, 2008. The defendants agreed to additional consideration and proxy disclosures for the class.

In re Comprehensive Care Corporation Shareholders Litigation, No. 2692-VCN (Del. Ch.). As court-appointed co-lead counsel, Motley Rice helped protect minority investors from being squeezed out by suing on behalf of the minority shareholders of Comprehensive Care Corporation to block a proposed "squeeze play" merger with Hythiam, Inc. The defendants voluntarily terminated the merger after the lawsuit was filed and partial discovery was completed.

Schultze Asset Management, LLC v. Washington Group International, Inc., No. 3261-VCN (Del. Ch.). This action followed Washington Group's announcement that it had agreed to be acquired by URS Corporation. The action alleged that Washington Group and its board of directors breached their fiduciary duties by failing to maximize shareholder value, choosing financial projections that unfairly undervalued the company and pursuing a flawed decision-making process. Motley Rice represented the parties, which ultimately settled the lawsuit with Washington Group. Washington Group agreed to make further disclosures to its shareholders regarding the proposed alternative transactions it had rejected prior to its accepting URS's proposal and agreed to make disclosures regarding how the company was valued in the proposed transaction with URS. These additional disclosures prompted shareholders to further question the fairness of the URS proposal. Ultimately, URS increased its offer for Washington Group to the benefit of minority stockholders.

In re The DirecTV Group, Inc. Shareholder Litigation, No. 4581-VCP (Del. Ch.). As court-appointed co-lead counsel, Motley Rice attorneys represented a group of institutional investors on behalf of the minority shareholders of DirecTV Group. A settlement was reached and approved by the court on Nov. 30, 2009. It provided for material changes to the merger agreement and the governing documents of the post-merger DirecTV.

KBC Asset Management N.V. v. Bankrate, Inc., No. 50-2009-CA-025312 (Fla. Cir. Ct.). Motley Rice attorneys served as co-lead counsel on behalf of the minority shareholders of Bankrate, Inc., in their challenge to a freeze-out merger by which a foreign private equity fund proposed to cash out Bankrate's minority shareholders for inadequate consideration and without the required consent of a single minority shareholder. Pursuant to the initial merger agreement, company insiders allegedly stood to reap millions while retaining an equity stake in the surviving private company. The parties participated in extensive expedited discovery and motion practice, and, as a result of the litigation, the defendants agreed not to waive the requirement that a majority of the minority shareholders must approve the transaction. A settlement was approved in Nov. 2010.

CASES:

In re Celera Corporation Shareholder Litigation, No. 6304-VCP (Del. Ch.). Motley Rice attorneys, with co-counsel, serve as lead counsel in this action challenging the acquisition of Celera Corporation by Quest Diagnostics Incorporated. In April 2011, the court-appointed lead plaintiff in the case, New Orleans Employees' Retirement System (NOERS), approved a settlement. As part of the settlement, Celera and Quest agreed to alter key features of their merger agreement. The settlement was approved by the Delaware Court of Chancery on March 23, 2012.

State Law Securities Cases

In re Tremont Group Holdings, Inc. Securities Litigation, No. 09 Civ. 03137 (S.D.N.Y.). Motley Rice represents an individual investor in consolidated litigation regarding investments made in Bernard L. Madoff Investment Securities, LLC, through a variable universal life insurance policy.

Brown v. Charles Schwab & Co., No. 2:07-cv-03852-DCN (D.S.C.). Motley Rice attorneys served as class counsel in this case, one of the first to interpret the civil liabilities provision of the Uniform Securities Act of 2002. The U.S. District Court for the District of South Carolina certified a class of investors with claims against broker-dealer Charles Schwab & Co., Inc., for its role in allegedly aiding the illegal sale of securities as part of a \$66 million Ponzi scheme. A subclass of 38 plaintiffs in this case reached a settlement agreement with Schwab under which they receive approximately \$5.7 million, an amount representing their total unrecovered investment losses plus attorneys' fees.

Opt-Out/Individual Actions

In re Vivendi Universal, S.A. Securities Litigation, No. 02 Civ. 5571 (S.D.N.Y.). In this action, Motley Rice represents more than 20 foreign institutional investors who were excluded from the class. The firm's clients include the Swedish public pension fund Första AP-fonden (AP1), one of five buffer funds in the Swedish pay-as-you-go pension system. In light of a recent Supreme Court ruling preventing foreign clients from gaining relief, Motley Rice has worked with institutional investor plaintiffs to file suit in France. The French action is pending.

AWARDS AND ACCOLADES:

Our firm has garnered the following awards:

"Most Feared Plaintiffs Firm" | *Law360*

2013 *mass tort litigation/class actions-plaintiffs*

"Best Law Firm" | *U.S. News- Best Lawyers®*

2010-2014 *mass tort litigation/class actions-plaintiffs*

Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys

2012-2013 *national and local rankings*

The Legal 500 United States Litigation editions

2007, 2009, 2011, 2012, 2013 *mass tort and class action: plaintiff representation-toxic tort*

The Plaintiffs' Hot List | *The National Law Journal*

2006, 2012, 2013

SCAS 50 list | ISS- Securities Class Action Services

2009-2011

Motley Rice attorneys have been individually recognized by such publications as *Super Lawyers®*, *The Best Lawyers in America®*, *The Roundtable: America's 100 Most Influential Trial Lawyers*, *Top 100 Trial Lawyers™* and others. Please see their bios for a full listing of accolades.

The Best Lawyers in America®

Mass tort litigation/class actions- plaintiffs

Fidelma Fitzpatrick: 2013

Anne McGinness Kears: 2013

Bob McConnell: 2013

Don Migliori: 2013

Ron Motley: 2013

Joe Rice: 2013

Mary Schiavo: 2013

Personal injury litigation- plaintiffs, product liability- plaintiffs

Ron Motley: 2013

Litigation- banking & finance, litigation- mergers & acquisitions, litigation- securities

Bill Narwold: 2013

"Lawyers of the Year" | *Best Lawyers®*

Ron Motley: 2010 *Charleston, SC personal injury litigation;*

2012 *Charleston, SC mass tort litigation/class actions- plaintiffs*

Joe Rice: 2013 *Charleston, SC mass tort litigation/class actions- plaintiffs*

Bill Narwold: 2013 *Hartford, CT litigation- banking & finance*

The National Trial Lawyers / The Trial Lawyer magazine

Ron Motley: 2012 inducted into **The Trial Lawyer Hall of Fame**

David Hoyle: 2012 **Top 100 Trial Lawyers™**

Ron Motley: 2011 member **The Roundtable: America's 100 Most Influential Trial Lawyers**

Joe Rice, Don Migliori, Anne Kears: 2010 **Top 100 Trial Lawyers™**

Leadership in Law Award | *SC Lawyers Weekly*

Joe Rice: 2012

Ron Motley: 2011

Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms & Attorneys

Nate Finch: 2013 *"Local Litigation Star:" civil litigation, creditors' rights and white-collar crime*

The Legal 500 United States

Mass tort and class action: plaintiff representation- toxic tort

Ron Motley: 2011-2013

Joe Rice: 2011-2012

Fidelma Fitzpatrick: 2013

John Herrick: 2009, 2011-2012

Anne McGinness Kears: 2009, 2011-2012

Mass tort and class action: plaintiff representation- securities

Rebecca Katz: 2012

Lawdragon™ 500 Leading Lawyers in America

Ron Motley: 2005-2012

Jodi Westbrook Flowers: 2010-2012

Lawdragon™ 3,000 Guide to the Leading Lawyers in America

Michael Elsner, Don Migliori: 2010

Chambers USA

Ron Motley: 2007, 2010-2012 *products liability and mass torts: plaintiffs "an accomplished trial lawyer and a formidable opponent."*

Super Lawyers®

Ron Motley: 2012 **Top 25 South Carolina Super Lawyers**

Don Migliori: 2012 **Top 10 Rhode Island Super Lawyers**

South Carolina Super Lawyers®

Ron Motley: 2008-2013

Joe Rice: 2008-2013

Anne McGinness Kears: 2013

Southern California Super Lawyers®

Mark Labaton: 2009-2013

Connecticut/New England Super Lawyers®

Bill Narwold: 2009-2013

Rhode Island/New England Super Lawyers®

Leah Donaldson: 2013

Fidelma Fitzpatrick: 2008, 2010-2013

Bob McConnell: 2008-2013

Don Migliori: 2009-2013

Washington, D.C. Super Lawyers®

Nate Finch: 2012-2013

New York Metro Super Lawyers®

Rebecca Katz: 2008-2010, 2013

Super Lawyers® Business Edition

Rebecca Katz: 2011

Rhode Island/New England Rising Stars

Leah Donaldson: 2012

South Carolina Rising Stars

Kimberly Barone Baden: 2013

T. David Hoyle: 2012-2013

Badge Humphries: 2012-2013

James Ledlie: 2012-2013

AWARDS AND ACCOLADES:

Josh Littlejohn: 2013

Bill Norton: 2013

Lance Oliver: 2013

Carmen Scott: 2013

Connecticut Rising Stars

Mathew Jasinski: 2013

Michael Pendell: 2013

West Virginia Rising Stars

Vicki Antion Nelson: 2012–2013

Lawyers of the Year | *Rhode Island Lawyers Weekly* and
Massachusetts Lawyers Weekly

Don Migliori: 2011

Platinum Compleat Lawyer Award | University of South
Carolina School of Law Alumni Association

Joe Rice: 2011

The American Association for Justice

Nate Finch: 2013 **Wiedemann & Wysocki Award**

Ron Motley: 2012 **Lifetime Member**

Ron Motley: 2010 **Lifetime Achievement Award**

James Ledlie: 2010 **F. Scott Baldwin Award**

Ron Motley: 2007 **David S. Shrager President's Award**

Ron Motley: 1998 **Harry M. Philo Trial Lawyer of the Year**

Trial Lawyer Kingpins | *Am Law Litigation Daily*

Ron Motley, Joe Rice: 2010 named to a list of **75 "formidable trial lawyers"**

Bill Narwold was named **one of eleven lawyers "who made a difference"** by *The Connecticut Law Tribune*.

"[Ron Motley is] **one of the most influential lawyers** in corporate America."— *The National Law Journal*

Joe Rice was named one of the nation's "**Five Most Respected Plaintiff Attorneys**" in a poll conducted by *Corporate Legal Times*.

Youth Advocates of the Year Award | Campaign for Tobacco-Free Kids Award

Ron Motley: 1999

President's Award | The National Association of Attorneys General

Ron Motley, Joe Rice: 1998

Roberts v. AP Green Industries, Inc., No. 49D02-9601-MJ-0001-687 (Marion Cty., Ind.) — The judge stated, "That was some of the best final arguments I think I've ever heard. That was a treat. Congratulations to you all. I expected the best, and you delivered the best, and I appreciate it."

Marsden v. Select Medical Corporation, No. 04-cv-4020 (E.D. Pa., Oct. 5, 2006) — "Motley Rice LLC possess[es] the requisite knowledge and skill in securities litigation to ably prosecute this matter on behalf of the class."

In re NPS Pharmaceuticals, Inc. Securities Litigation, No. 2:06-cv-00570-PGC-PMW (D. Utah, Nov. 17, 2006) — "As demonstrated by their submissions to the court, [Motley Rice has] expertise and experience in the prosecution of shareholder and securities class actions and, as a result, [is] adequate to represent the interests of the class."

For full methodologies and selection criteria, visit www.motleyrice.com/info/award-methodology

Please remember that every case is different. Although they endorse certain lawyers, *The Legal 500 United States* and *Chambers USA* and other similar organizations listed above are not Motley Rice clients. Any result we achieve for one client in one matter does not necessarily indicate similar results can be obtained for other clients.

THE FIRM'S MEMBERS

Ronald L. Motley (1944–2013)

EDUCATION:

J.D., University of South Carolina School of Law, 1971

B.A., University of South Carolina, 1966

Ron Motley fought for greater justice, accountability and recourse, and has been widely recognized as one of America's most accomplished and skilled trial lawyers. During a career that spanned more than four decades, his persuasiveness before a jury and ability to break new legal and evidentiary ground brought to justice two once-invincible giant industries whose malfeasance took the lives of millions of Americans— asbestos and tobacco. Armed with a combination of legal and trial skills, personal charisma, nose-to-the-grindstone hard work and record of success, Ron built Motley Rice into one of the nation's largest plaintiffs' law firms.

Noted for his role in spearheading the historic litigation against the tobacco industry, Ron served as lead trial counsel for 26 State Attorneys General in the lawsuits. His efforts to uncover corporate and scientific wrongdoing resulted in the Master Settlement Agreement, the largest civil settlement in U.S. history and in which the tobacco industry agreed to reimburse states for smoking-related health care costs.

Through his pioneering discovery and collaboration, Ron revealed asbestos manufacturers and the harmful and disabling effects of occupational, environmental and household asbestos exposure. He represented thousands of asbestos victims and achieved numerous trial breakthroughs, including the class actions and mass consolidations of *Cimino, et al. v. Raymark, et al.* (U.S.D.C. TX); *Abate, et al. v. ACandS, et al.* (Baltimore); and *In re Asbestos Personal Injury Cases* (Mississippi).

In 2002, Ron once again advanced cutting-edge litigation as lead counsel for the 9/11 Families United to Bankrupt Terrorism with a lawsuit filed by more than 6,500 family members, survivors and those who lost their lives in the Sept. 11, 2001, terrorist attacks. The suit seeks justice and ultimately bankruptcy for al Qaeda's financiers, including many individuals, banks, corporations and charities that provided resources and monetary aid. He also served as lead counsel in numerous individual aviation security liability and damages cases under the *In re September 11 Litigation* filed against the aviation and aviation security industries by victims' families devastated by the security failures of 9/11.

Ron brought the landmark case of *Oran Almog v. Arab Bank* against the alleged financial sponsors of Hamas and other terrorist organizations in Israel and was a firm leader in the BP Deepwater Horizon litigation and claims efforts involving people and businesses in Gulf Coast communities suffering as a result of the oil spill. Two settlements were reached with BP, and one of which is the largest civil class action settlement in U.S. history.

Ron won widespread honors for his ability to win justice for his clients and for his seminal impact on the course of civil litigation. In 2013, the South Carolina Association for Justice

(SCAJ) recognized him with its prestigious Founders' Award, and he was inducted into *The Trial Lawyer 2012 Hall of Fame* in recognition of his lifetime of public service. He was selected by his peers for inclusion in *The Best Lawyers in America*® from 1993 to 2013 for his work in mass tort litigation/class actions - plaintiffs; personal injury litigation - plaintiffs; and product liability litigation - plaintiffs. In addition, he was named the *Best Lawyers*® 2010 Charleston, SC Personal Injury Litigation "Lawyer of the Year" and *Best Lawyers*® 2012 Charleston-SC Mass Tort Litigation/Class Actions - plaintiffs "Lawyer of the Year." The inaugural 2012 edition of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* recognized Ron as a "Litigation Star" in its national rankings for mass tort/product liability and securities and, in 2013, ranked him nationally again for his work in civil rights/human rights and mass tort/product liability. *Benchmark Plaintiff* recognized him in both 2012 and 2013 in its South Carolina rankings in human rights, product liability, securities and toxic tort.

Ron was a 2011 recipient of the SC *Lawyers Weekly* Leadership in Law Award and was highlighted in the 2011–2013 Litigation editions of *The Legal 500 United States* for his work in mass tort and class action: plaintiff representation- toxic tort. *The Trial Lawyer Magazine* named him as a 2011 member of *The Roundtable: America's 100 Most Influential Trial Lawyers*. *Chambers USA* named him in the 2007, 2010, 2011 and 2012 editions for his work in product liability and mass torts: plaintiffs, calling him in one edition "an accomplished trial lawyer and a formidable opponent." Recognized as an AV® rated attorney by Martindale-Hubbell®, Ron was also selected for inclusion in the *South Carolina Super Lawyers*® list 2008–2013 and was named numerous times among the "Best of the Best" on the *Top 10 South Carolina Super Lawyers* list (2008) and *Top 25 South Carolina Super Lawyers* list (2008, 2009, 2011, 2012). He was included in every edition of the *The Lawdragon*™ 500 Leading Lawyers in America list from 2005 to 2012 for his work in the plaintiffs' field.

The American Association for Justice (AAJ) elected Ron to be a lifetime member in 2012, and in 2010, awarded him with its highest honor, the Lifetime Achievement Award. The AAJ also honored Ron in 2007 with the David S. Shrager President's Award for his outstanding contributions to the safety and protection of American consumers and the civil justice system, and in 1998, named him the Harry M. Philo Trial Lawyer of the Year. Ron served on the AAJ Board of Governors from 1977 to 2012 and was chair of its Asbestos Litigation Group from 1978 to 2012.

In 1998, he received the President's Award of the National Association of Attorneys General for his "courage, legal skills and dedication to our children and the public health of our nation." The Campaign for Tobacco-Free Kids gave him its Youth Advocates of the Year Award in 1999. For his trial achievements, *BusinessWeek* characterized Ron's courtroom skills as "dazzling." *American Lawyer* dubbed him "The man who took on Manville," and *The National Law Journal* ranked him, "One of the most influential lawyers in America."

TEAM BIOS:

He authored or co-authored more than two dozen publications, including:

"Decades of Deception: Secrets of Lead, Asbestos and Tobacco" (*Trial Magazine*, October 1999)

"Asbestos Disease Among Railroad Workers: 'Legacy of the Laggin' Wagon'" (*Trial Magazine*, December 1981)

"Asbestos and Lung Cancer," *New York State Journal of Medicine*, June 1980; Volume 80: No.7, New York State Medical Association, New York.

"Occupational Disease and Products Liability Claims" (*South Carolina Trial Lawyers Bulletin*, September and October 1976)

He has also been featured in numerous articles, books and scripts, including:

Shackelford, Susan. "Major Leaguer" (*South Carolina Super Lawyers*, April 2008)

Senior, Jennifer. "A Nation Unto Himself" (*The New York Times*, March 2004)

Freedman, Michael. "Turning Lead into Gold," (*Forbes*, May 2001)

Zegart, Dan. *Civil Warriors: The Legal Siege on the Tobacco Industry*. Delacorte Press, 2000.

Ansen, David. "Smoke Gets in Your Eyes" (*Newsweek*, 1999)

Mann, Michael & Roth, Eric. "The Insider" (*Blue Lion Entertainment*, November 5, 1999)

Brenner, Marie. "The Man Who Knew Too Much" (*Vanity Fair*, May 1996)

Reisig, Robin. "The Man Who Took on Manville" (*The American Lawyer*, January 1983)

Ron is a member of the American Bar Association, Civil Justice Foundation, Inner Circle of Advocates, International Academy of Trial Lawyers and South Carolina Association for Justice. In 2002, Ron founded the Mark Elliott Motley Foundation, Inc., in loving memory of his son to help meet the health, education and welfare needs of children and young adults in the Charleston, S.C. community.

Joseph F. Rice

LICENSED IN: DC, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

U.S. Court of Appeals for the Second, Third, Fourth and Fifth Circuits

U.S. District Court for the District of Nebraska and the District of South Carolina

EDUCATION:

J.D., University of South Carolina School of Law, 1979

B.S., University of South Carolina, 1976

Motley Rice co-founding member Joe Rice is recognized as a skillful and innovative negotiator of complex litigation settlements. As lead private counsel for 26 State Attorneys General, he played a central role in crafting the landmark Master Settlement Agreement, the largest civil settlement in U.S. history, in which the tobacco industry agreed to reimburse states for smoking-related health costs. Over the past two decades, Joe has also been recognized for his role in structuring some of the most significant resolutions of asbestos liabilities on behalf of victims injured by asbestos-related products.

Joe has held leadership and negotiating roles involving the bankruptcies of several large organizations, including AWI, Federal Mogul, Johns Manville, Celotex, Garlock, W.R. Grace, Babcock & Wilcox, U.S. Gypsum, Owens Corning and Pittsburgh Corning. He remains a key player in developing and negotiating the structured settlements of asbestos manufacturers emerging from bankruptcy and has worked on numerous Trust Advisory Committees.

Currently, Joe serves on the Plaintiffs' Steering Committee for the Deepwater Horizon oil spill MDL *In re Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010*. As a lead negotiator, he helped reach the two settlements with BP, one of which is the largest civil class action settlement in U.S. history.

Joe also directs the Motley Rice securities litigation team in securities fraud litigation, shareholder derivative cases and actions against proposed merger and acquisition transactions. He is sought by investment funds for guidance on strategies to increase shareholder value and enhance corporate governance reforms and asset recovery through litigation.

Joe continues to negotiate on behalf of the firm's clients in anti-terrorism and human rights, environmental, drugs, devices and catastrophic injury cases. He held a crucial role in executing the strategic mediations and/or resolutions in all of the firm's aviation liability and damages cases against multiple defendants on behalf of families of the victims of the 9/11 attacks who opted out of the Victim Compensation Fund. In addition to providing greater answers, accountability and recourse to victims' families, the resulting settlements shattered a settlement matrix developed and utilized for decades, and the litigation helped provide public access to evidence in an archive of selected discovery materials gathered in the litigation.

TEAM BIOS:

A frequent guest speaker, Joe has presented at numerous conferences and seminars nationwide, including the National Asbestos Litigation Conference, the National Conference on Public Employee Retirement Systems, the Public Funds Summit, Class Action Settlements: Approval, Distribution and Oversight Workshop and several asbestos bankruptcy and complex litigation conferences.

Described as one of the nation's "five most feared and respected plaintiffs' lawyers in corporate America" in a poll of defense counsel and legal scholars conducted by *Corporate Legal Times*, Joe was cited time after time as one of the toughest, sharpest and hardest-working litigators they have faced. As the article notes, "For all his talents as a shrewd negotiator ... Rice has earned most of his respect from playing fair and remaining humble." Joe was named the *Best Lawyers*® 2013 Charleston-SC Mass Tort Litigation/Class Actions- Plaintiffs "Lawyer of the Year," and he was a 2012 recipient of the *SC Lawyers Weekly* Leadership in Law Award. In 2011, the University of South Carolina School of Law Alumni Association honored him with its platinum Compleat Lawyer Award, and he was highlighted in the 2011 and 2012 Litigation editions of *The Legal 500 United States* (mass tort and class action: plaintiff representation-toxic tort). The 2012 and 2013 editions of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* recognized Joe as a "Litigation Star" in its national rankings for mass tort/product liability, as well as its South Carolina rankings in environmental, mass tort and product liability. Recognized as an AV® rated attorney by Martindale-Hubbell®, he has been selected by his peers for inclusion in each annual edition of *The Best Lawyers in America*® since 2007 for his work in mass tort litigation/class actions- plaintiffs. He has been included in every edition of *South Carolina Super Lawyers*® since 2008 and, in 2010, was named by The National Trial Lawyers as one of its *Top 100 Trial Lawyers*™ in South Carolina. *The American Lawyer* described Joe in 2006 as "one of the shrewdest businessmen practicing law."

In 1998, Joe received the President's Award of the National Association of Attorneys General. In 1999 and 2000, he served on the faculty at Duke University School of Law as a Senior Lecturing Fellow, and he has taught classes at the University of South Carolina School of Law, Duke University School of Law and Charleston School of Law on the art of negotiating. Joe serves his community through several organizations, including First Tee of Greater Charleston, the Center for Birds of Prey and the Dee Norton Lowcountry Children's Center, for which he co-chaired the inaugural Campaign for the Next Child. In 2010, MUSC Children's Hospital honored Joe with its Johnnie Dodds Award for his longtime support of its annual Bulls Bay Golf Challenge Fundraiser and continued work on behalf of our community's children. The University of South Carolina awarded Joe and his family with its 2011 Garnet Award for their passion for and devotion to Gamecock athletics. Joe was also awarded the 2011 Tom Fazio Service to Golf Award in recognition of his efforts to help promote the SC Junior Golf Association Programs.

He is a member of the American Association for Justice, American Bar Association, American Inns of Court, South Carolina Association for Justice and the American Constitution Society for Law and Policy.

John A. Baden IV

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Second Circuit, U.S. Bankruptcy Court for the Southern District of New York and Western District of North Carolina

EDUCATION:

J.D., University of South Carolina School of Law, 2002

B.A., College of Charleston, 1996

John Baden represents clients harmed by asbestos exposure in individual and mass tort forums, as well as in complex asbestos bankruptcies, handling complete case management and settlement negotiations for individuals and families suffering from mesothelioma and other asbestos-related diseases.

Working closely with Joe Rice, John also handles the negotiation and complex case resolution of multiple asbestos bankruptcies, including NARCO and W.R. Grace. He manages the related claims processes and directs the firm's team of senior claims administrators.

John has additionally been actively involved with the firm's representation of people and businesses in Gulf Coast communities suffering as a result of the BP Deepwater Horizon oil spill. He held a central role in the negotiation process involving the two settlements reached with BP that will fairly compensate thousands of victims who suffered economic loss, property damage and physical injuries caused by the spill.

John began his legal career as a litigation trial paralegal for Ron Motley in 1997, working with the State Attorneys General on the landmark tobacco litigation primarily in Florida, Mississippi and Texas. He also supported occupational litigation in several states, including the exigent trial dockets of Georgia and West Virginia. John served as a judicial intern for Judge Sol Blatt, Jr., of the U.S. District Court of South Carolina and Judge Jasper M. Cureton of the South Carolina Court of Appeals. After earning a law degree in 2002, John began working with Motley Rice attorneys as part of the Occupational Disease practice group. He was named a Motley Rice member in 2008.

A member of the American Association for Justice and South Carolina Association for Justice, John has lectured on asbestos bankruptcy issues at various legal seminars.

TEAM BIOS:

Kimberly Barone Baden

LICENSED IN: CA, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Third Circuit

U.S. District Court for the Central, Northern and Southern

Districts of California and District of South Carolina

EDUCATION:

J.D., California Western School of Law, 1999

B.A. *cum laude*, Clemson University, 1996

Kimberly Barone Baden leads the firm's birth defect litigation, representing hundreds of children who were born with congenital birth defects allegedly caused by antidepressants, including Zoloft®, Prozac® and Wellbutrin®; the smoking cessation drug, Zyban®; and the migraine/anti-seizure medication, Topamax®. On July 13, 2012, Kimberly was appointed to the Plaintiffs' Steering Committee in the *In re Zoloft (sertraline hydrochloride) Products Liability Litigation*, MDL 2342. She manages the firm's Avandia® and Crestor® litigations, as well as the Actos® bladder cancer litigation.

Kimberly continues to manage the firm's nursing home abuse and neglect litigation. Representing the elderly, our nation's most defenseless population, she specifically litigates cases on behalf of both nursing home residents and assisted living facility residents who are victims of abuse and neglect nationwide. Published case: *Grant v. Magnolia Manor-Greenwood, Inc.*, 678 S.E.2d 435 (S.C. 2009).

Additionally, Kimberly co-manages the firm's active misappropriated human remains litigation: *In re New York Human Tissue Products Liability Litigation* and co-managed the firm's tainted tissue litigation in both the state and federal multidistrict litigation.

Prior to joining Motley Rice, Kimberly worked on the Fen-Phen diet drug litigation at Harrison, Kemp & Jones in Las Vegas and served as an attorney with the California District Attorney's Office in San Diego.

Recognized as a BV® rated attorney by Martindale-Hubbell®, Kimberly was also selected by her peers for inclusion in the 2013 *South Carolina Super Lawyers® Rising Stars* list. She is a member of the American Association for Justice, American Bar Association and South Carolina Association for Justice.

Frederick C. Baker

LICENSED IN: NY, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First, Second, Third, Fourth and Tenth Circuits

U.S. District Court for the Southern District of New York and the District of South Carolina

EDUCATION:

LL.M./J.D., Duke University School of Law, 1993

B.A., University of North Carolina at Chapel Hill, 1985

Fred Baker represents individual and institutional investors, consumers, governmental entities and whistleblowers in complex securities and consumer fraud litigation, including shareholder rights, unfair trade practices and whistleblower/

qui tam claims. He has a diverse complex litigation background and holds a leadership role within firm's environmental and occupational disease and toxic tort teams as well.

Fred has litigated a broad range of complex cases in the environmental, medical costs recovery, consumer and products liability fields. A member of the legal team that litigated the groundbreaking tobacco litigation on behalf of several State Attorneys General, he also participated in the litigation of individual tobacco cases, entity tobacco cases and a tobacco class action.

Fred has served as counsel in a number of class actions, including the two class action settlements arising out of the 2005 Graniteville train derailment chlorine spill and the currently pending West Virginia unfair trade practices insurance class action.

He additionally litigates large scale environmental contamination cases. After representing the state of Oklahoma in a case against poultry integrators alleging that poultry waste polluted natural resources in Eastern Oklahoma, Fred became actively involved with the firm's representation of people and businesses in Gulf Coast communities suffering as a result of the BP Deepwater Horizon oil spill. He held a central role in the negotiation process involving the two settlements reached with BP that will fairly compensate thousands of victims who suffered economic loss, property damage and physical injuries caused by the spill.

Fred began practicing with Motley Rice attorneys in 1994 and currently chairs the firm's attorney hiring committee.

V. Brian Bevon

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of South Carolina and Northern District of Florida

EDUCATION:

J.D., University of South Carolina School of Law, 1992

B.S., Catholic University of America, 1989

Motley Rice member Brian Bevon has spent more than fifteen years representing individuals and families suffering from mesothelioma and other asbestos-related diseases as a result of occupational, environmental and household asbestos exposure.

An integral player in the firm's Occupational Disease and Toxic Tort practice, he continues to fight for the rights of victims harmed by asbestos and other occupational diseases and advocates for the improved health and welfare of the American worker. Brian has also worked with the firm's Environmental team to assist individuals and businesses in their efforts to hold corporate defendants accountable for alleged ground contamination.

Prior to joining Motley Rice attorneys in 1994, Brian practiced real estate, property owners, probate and construction defect law with another South Carolina firm and served on the legislative

TEAM BIOS:

staff of Senator Ernest "Fritz" Hollings. He is a proud participant in the Lawyer Mentoring Program of the Supreme Court of South Carolina Commission on Continuing Legal Education and Specialization, serving as a mentor to young lawyers entering the legal profession.

Recognized as a BV® rated attorney by Martindale-Hubbell®, Brian is an active member of the South Carolina Bar Association Fee Disputes Resolution Board, for which he investigates fee dispute issues between attorneys and their clients. Brian is also a member of the American Association for Justice, American Bar Association, Federal Bar Association and South Carolina Association for Justice.

Michael M. Buchman

LICENSED IN: CT, NY

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

U.S. Court of Appeals for the Second Circuit

U.S. District Court for the Districts of Connecticut and

Southern and Eastern Districts of New York

U.S. Court of International Trade

EDUCATION:

LL.M., International Antitrust and Trade Law, Fordham University School of Law, 1993

J.D., The John Marshall Law School, 1992

B.A. *cum laude*, Alfred University, 1988

A leader of Motley Rice's antitrust practice, Michael Buchman has more than 20 years of experience litigating antitrust, consumer protection and privacy class actions in federal/state trial and appellate courts. Michael has a diverse antitrust background, having represented as lead or co-lead counsel a variety of plaintiff clients, from Fortune 500 companies to individual consumers, in complex cases covering matters such as restraint of trade, price-fixing, generic drug antitrust issues and anticompetitive "reverse payment" agreements between brand name pharmaceutical companies and generic companies.

Michael served as an Assistant Attorney General in the New York State Attorney General's Office, Antitrust Bureau, after receiving his LL.M. degree in International Antitrust and Trade Law. Also prior to joining Motley Rice, he was a managing partner of the antitrust department at a New York-based class action law firm. He played an active role in resolving two of the largest U.S. multi-billion dollar antitrust settlements since the Sherman Act was enacted, *In re NASDAQ Market-Makers Antitrust Litigation* and *In re Visa Check/Mastermoney Antitrust Litigation*, as well as litigated numerous multi-million dollar antitrust cases. Today, he represents the largest retailer class representative in a historic antitrust case—the \$7.2 billion case *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, MDL 1720.

Michael has more than thirteen years of experience representing consumers, union health and welfare plans, and health insurers in "generic drug" litigations such as *In re Augmentin Antitrust Litigation*, *In re Buspirone Antitrust Litigation*, *In re Ciprofloxacin Antitrust Litigation*, *In re Flonase Antitrust Litigation*, *In re K-Dur Antitrust Litigation*, *In re Relafen Antitrust Litigation*, *In re Tamoxifen Antitrust Litigation*, *In re Toprol XL Antitrust Litigation* and *In re Wellbutrin SR Antitrust Litigation*. He also has experience litigating a large aviation antitrust matter, as well as aviation crash, emergency evacuation and other aviation cases in federal and state court.

Michael completed the intensive two-week National Institute for Trial Advocacy National Trial Training program in Boulder, Colo., in 2002. An avid writer, he has authored and co-authored articles on procedure and competition law, including a *Task Force on Dealer Terminations* for The Association of the Bar of the City of New York, Committee on Antitrust and Trade Regulation, entitled *Dealer Termination in New York dated June 1, 1998 and What's in a Name - the Diversity Death-Knell for Underwriters of Lloyd's of London and their Names; Humm v. Lombard World Trade, Inc.*, Vol. 4, Issue 10 *International Insurance Law Review* 314 (1996).

Michael is active in his community, serving as a member of the Flood and Erosion Committee for the Town of Westport, Ct., and as *pro bono* counsel in actions involving the misappropriation of perpetual care monies. He has also coached youth ice hockey teams at Chelsea Piers in New York City.

Samuel B. Cothran Jr. General Counsel

LICENSED IN: NC, SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Western District of North Carolina and District of South Carolina

EDUCATION:

J.D., *cum laude*, University of South Carolina School of Law, 1998

M.B.A., Duke University, 1994

B.S., *summa cum laude*, University of South Carolina, 1981

Sam Cothran leads Motley Rice's legal department, directing and advising the firm's management on diverse in-house legal matters. He supervises and handles legal matters and opinions regarding governmental compliance, contracts and legal defense. He works closely with the firm's practice group leaders and executive administrative team members on labor and employment, marketing, financial and operational issues. Sam is also responsible for proactively addressing the complex ethical challenges inherent in practicing law, such as multi-jurisdictional and international practice.

After working for an international accounting firm as a certified public accountant and for several Fortune 1,000 companies as a financial manager, Sam attended law school to complement his

TEAM BIOS:

background in business management and finance and joined Motley Rice attorneys shortly after graduation. Sam enjoys creatively addressing the many challenges and opportunities inherent in the cutting-edge practice of a dynamic, multi-jurisdictional law firm.

Recognized as a BV® rated attorney by Martindale-Hubbell®, Sam is a member of the American Bar Association, the Association of Professional Responsibility Lawyers, the American Institute of Certified Public Accountants and the South Carolina Association of Certified Public Accountants. As a law student, Sam served as Managing Editor of the *South Carolina Law Review*. He was named a Carolina Legal Scholar and awarded both the Order of the Coif and Order of the Wig and Robe. Sam is the author of *Dischargeability Of Consumer Credit Card Debt In Bankruptcy After Anastas v. American Savings Bank*, 48 S.C.L. Rev. 915 (1997).

Kevin R. Dean

LICENSED IN: GA, MS, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Third, Fourth, Fifth and Eleventh Circuits, U.S. District Court for the Middle, Northern and Southern Districts of Georgia, Central District of Illinois, Northern and Southern Districts of Mississippi and District of South Carolina

EDUCATION:

J.D., Cumberland School of Law, 1991

B.A., Valdosta State University, 1989

Kevin Dean focuses his litigation efforts on catastrophic injury, products liability, and wrongful death cases. As co-leader of Motley Rice's catastrophic injury practice group, Kevin represents individual victims and families affected by tragic events caused by hazardous consumer products, occupational and industrial accidents, fires, premise injuries and other incidents of negligence. He served as lead plaintiffs' counsel in *In re Charleston Firefighter Litigation*, a wrongful death and negligence case against Sofa Super Store, contractors and multiple furniture manufacturers on behalf of the families of the nine firefighters lost in the June 2007 warehouse fire in Charleston, S.C.

Since the 2010 explosion of the Deepwater Horizon, Kevin has been helping people and businesses pursuing litigation, as well as those needing help filing and negotiating their claims. He served as a member of the oil spill MDL's GCCF Jurisdiction & Court Oversight Workgroup and is now helping victims file claims through the new claims programs established by the two settlements reached with BP.

Kevin has maintained a leadership role since 2005 in litigating hundreds of cases alleging illegal organ harvesting, as well as potentially diseased human tissue and organ transplants. He is actively involved with malpractice, defective medical devices and drug litigation. Additionally, Kevin litigates vehicle defect cases, including against "the Big Three" automotive manufacturers in cases involving defective brakes, door locks, door latches, seat belts and roll overs. He was trial co-counsel

in *Guzman v. Ford* (2001), the first case brought to trial regarding a hidden defective outside door latch handle, as well as in the vehicle rollover case *Hayward v. Ford* (2005).

Prior to joining Motley Rice, Kevin was a partner with the Law Offices of J. Edward Bell III, LLC. Before moving to South Carolina, he was a member of the William S. Stone, P.C. law firm, and he began his career as an associate with The Bennett Law Firm. His experience includes the health insurance fraud and post-claims underwriting case *Clark v. Security Life Insurance Company*, the largest civil RICO case in Georgia history, and *Wiggins v. Parsons Nursery*, one of the largest environmental and health contamination cases in South Carolina. Kevin also served as a County Commissioner on the Early County Georgia Board of Commissioners and still has the distinguished honor of having been the youngest elected commissioner in county history.

Kevin frequently appears in local and national broadcast and print media discussing legal matters of workplace safety, fire prevention and other products liability, as well as specific casework and efforts for changes and improvements in various industries. The 2012 and 2013 editions of *Benchmark Plaintiff*, *The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* recognized Kevin as a "Litigation Star" in its national rankings for mass torts/product liability, as well as its South Carolina rankings in product liability. Martindale-Hubbell® recognizes Kevin as a BV® rated attorney.

He is a member of the American Association for Justice, Georgia Trial Lawyers Association and South Carolina Association for Justice. He co-authored "Dangerous Doors and Loose Latches," published in *Trial Magazine* (2004) for the American Association for Justice (formerly Association of Trial Lawyers of America), and authored "The Right to Jury Trial in ERISA Civil Enforcement Actions" published in *The American Journal of Trial Advocacy* (1989).

Michael E. Elsner

LICENSED IN: NY, SC, VA

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Eastern and Southern Districts of New York

EDUCATION:

J.D., University of Memphis Cecil C. Humphreys School of Law, 1997

B.A., John Carroll University, 1993

Michael Elsner manages complex, cross-border litigation and intricate investigations of infringement and abuse of human rights, multi-layered financial transactions and due diligence. He litigates complex civil matters on behalf of people and businesses victimized by commercial malfeasance, violations of human rights, inadequate security measures and state-sponsored terrorism. As a key member of Motley Rice's Anti-Terrorism and Human Rights practice group, Michael is using the U.S. civil justice system to seek social change and improved protection of Americans at home and abroad.

TEAM BIOS:

Michael's understanding of the complex legal challenges of international matters is critical to litigating cases involving human rights and financial dealings. He uses legal mechanisms to track illicit finances, and his investigations through the maze of international banking and financial regulations continue to uncover violations that have allowed money laundering and terrorist financing. Michael is building upon legal theories and case precedents to represent plaintiffs harmed by financial crimes and actions and hold the global institutions and organizations accountable.

Michael is a lead plaintiffs' counsel in *Almog v. Arab Bank*, a suit brought on behalf of American and Israeli victims of terrorist attacks trying to prevent the financing of more terrorists and help bring peace to the Middle East region. In addition, he currently leads the worldwide investigation for liability evidence in the 9/11 Families United to Bankrupt Terrorism civil action against al Qaeda's alleged financiers and supporters. In this capacity, Michael meets with U.S. and foreign intelligence officers, witnesses, and informants, who have already helped him gather more than two million pages of documents in numerous languages identifying the activities of al Qaeda and its financiers. He is a member of the Plaintiffs' Steering Committee for this multidistrict litigation filed on behalf of more than 6,500 families and survivors of the 9/11 attacks. He also served as a member of the Plaintiffs' Committee in *In re September 11th Litigation*, a suit brought against the airline industry alleging that it failed to detect and prevent the attacks. Michael's work with financial transaction litigation includes commercial, securities fraud and shareholder derivative cases such as his extensive work on behalf of domestic and foreign investors in *In re Vivendi Universal, S.A. Securities Litigation*.

Michael is also leading the firm in its role as consultants to South African human rights lawyer Richard Spoor in his effort to take on leading global gold producers and seek justice for tens of thousands of exploited gold mine workers who are suffering from silicosis. Few class actions have been brought in South Africa, and none have been filed for sick workers. If approved as a class, the suit would generate an unprecedented means of recovery for the country and ensure meaningful access to justice for the indigent and rural workers who are dying from this entirely preventable yet incurable disease.

Michael began his career with the Manville Personal Injury Trust and then practiced complex civil litigation in New York in the areas of toxic torts, security, personal injury, bankruptcy, and whistleblower protections prior to joining Motley Rice attorneys in 2002.

Sharing his experience and insight as a lecturer and consultant, Michael has discussed anti-terrorism and human rights litigation on several national and international news outlets, including CNN, MSNBC, NPR and the BBC, as well as international anti-money laundering and anti-terrorism industry conferences. Michael was named to the 2010 edition of the *Lawdragon*™ 3,000. He is a member of the American Association for Justice, American Bar Association, New York Bar Association, South Carolina Bar Association, Virginia Bar Association, National Crime Victims Bar Association, and Public Justice.

Nathan D. Finch

LICENSED IN: DC, VA

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Third, Fourth, Fifth, Sixth and Tenth Circuits, U.S. District Court for the District of Columbia and the Eastern District of Virginia

EDUCATION:

J.D., University of Virginia School of Law, 1992

B.A., University of Virginia, 1989

Nate Finch brings almost twenty years of experience in complex civil litigation and trial work to Motley Rice. With a diverse background, as well as strong trial and negotiation skills, he holds a central role in the firm's work representing clients in various asbestos, toxic tort, commercial, securities fraud and other complex cases. Nate has served as the lead trial attorney for his clients in many federal and state courts and is sought after by co-counsel for advice on challenging cases and complex legal matters.

Nate's thorough knowledge of asbestos and medical issues is an asset to the firm's occupational disease and toxic tort clients. He has obtained plaintiffs' verdicts in cases against asbestos product manufacturer defendants and cigarette makers. He has extensive experience trying cases involving a wide variety of asbestos-containing products, including gaskets, automotive brakes, floor tiles, joint compounds, and various forms of insulation. He also has years of experience representing individuals, companies and creditors' committees in personal injury litigation, mass torts products liability litigation, securities and financial fraud litigation and an array of other complex litigation cases ranging from single plaintiffs' products liability cases to high-stakes business disputes.

Prior to joining Motley Rice, Nate was a partner for more than ten years in a Washington, D.C.-based law firm and frequently collaborated with Motley Rice attorneys in trials and negotiations to resolve large asbestos product manufacturers' bankruptcies. He tried numerous cases in federal district courts focusing on the medical and scientific factors associated with asbestos-related diseases and asbestos exposure. During this time, he also tried and helped to resolve in favor of his clients five asbestos bankruptcy cases, each having more than \$1 billion at stake. In addition, Nate worked closely with Motley Rice attorneys on behalf of investors in *In re MBNA Securities Litigation* and *In re Vivendi Universal, S.A. Securities Litigation*.

Nate's understanding of the factual and legal challenges inherent in complex cases, combined with his trial experience, has positioned him as a considerable resource within many practice areas. A frequently invited speaker regarding a variety of legal matters, he has spoken at many asbestos litigation and bankruptcy conferences and has been a guest lecturer at the Georgetown University, George Washington University and University of Baltimore law schools on topics relating to civil procedure, mass tort litigation and the differences between litigating in Article III and Article I courts.

TEAM BIOS:

Nate was honored in 2013 with the American Association for Justice (AAJ) Wiedemann & Wysocki Award, a national award honoring members for going above and beyond their commitments to the principles of the civil justice system and AAJ's mission. Recognized as a Martindale Hubbell® AV® rated attorney, Nate was named a "Local Litigation Star" in the 2012 and 2013 editions of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* in its Washington, D.C., rankings in product liability and securities. He was additionally recognized as a "Local Litigation Star" in the 2013 fifth annual edition of *Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms & Attorneys* for his work in civil litigation, creditors' rights and white-collar crime. Nate was selected by his peers for inclusion in both the 2012 and 2013 *Washington, D.C. Super Lawyers®* lists and was also ranked a "Top Lawyer" in the 2009 and 2010 editions of *Chambers USA* in bankruptcy and restructuring. He is a member of the American Association for Justice and The Barristers. A graduate of the University of Virginia and the University of Virginia School of Law, Nate was a member of the *Virginia Law Review* and the Order of the Coif.

In addition to his professional activities, Nate has served his community for many years through volunteer activities coordinated by Greater D.C. Cares, an organization committed to connecting volunteers with community service groups. He is a former scholarship track and cross country athlete at UVA.

Fidelma L. Fitzpatrick

LICENSED IN: DC, MA, NY, RI

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First, Seventh and Eleventh Circuits, U.S. District Court for the District of Columbia, District of Massachusetts, District of Rhode Island and Eastern District of Wisconsin

EDUCATION:

J.D., *cum laude*, American University, 1994

B.A., Canisius College, 1991

Fidelma Fitzpatrick litigates environmental contamination claims on behalf of various states, cities, counties and individuals. She held a central role in the state of Rhode Island's lead paint trial against former corporate manufacturers of lead paint. Fidelma continues to manage cases seeking to hold the lead paint industry accountable for the childhood lead poisoning crisis and provide restitution and compensation to affected children and families. As a result of her work for lead poisoning victims, the Wisconsin State Supreme Court became the first to recognize the legal rights of poisoned children to sue lead pigment manufacturers. She worked on similar litigation filed by the City of New York and the City and County of San Francisco.

In addition to her work on lead poisoning issues, Fidelma represents communities and individuals in other toxic tort and environmental matters, including property damage and personal injury claims. She played a lead role in representing the community of Tallevast, Florida, in a lawsuit against Lockheed

Martin Corporation involving the pollution of the community's groundwater with PCE and TCE. Fidelma is currently litigating nuclear contamination cases on behalf of Pennsylvania residents who allege that local nuclear facilities exposed them to hazardous levels of toxic or radioactive material in the surrounding air, soil and water. Those cases, involving both personal injuries and property damage, are pending in federal court.

Fidelma's experience with complex civil litigation has also led her to represent other victims of corporate malfeasance. She plays a central role in representing hundreds of women allegedly harmed by transvaginal mesh/sling products in filed cases against defendants that include Boston Scientific, C.R. Bard, Inc., and Johnson & Johnson. She serves as co-liaison counsel in the *In re Bard Litigation* in New Jersey state court, as well as state court liaison counsel in both Delaware and Massachusetts. In 2012, Fidelma was also appointed co-lead counsel of the pelvic mesh MDL *In re American Medical Systems, Inc., Pelvic Repair Systems Products Liability Litigation*.

Fidelma began working with Motley Rice attorneys in 1997 on the Massachusetts, New York and Rhode Island groundbreaking lawsuits against the tobacco industry. She is the author of "Painting Over Long-Standing Precedent: How the Rhode Island Supreme Court Misapplied Public Nuisance Law in *State v. Lead Industries Association*" in the Roger Williams University Law Review (Summer 2010) and also has co-authored several other law articles, including "Access to Justice: The Use of Contingent Fee Arrangements by Public Officials to Vindicate Public Rights" in *Cardozo J.L. & Gender* (Spring 2008) and "Negligence in the Paint: The Case for Applying the Risk Contribution Doctrine to Lead Litigation" in *Pace Environmental Law Review* (Fall 2008). She frequently speaks on environmental and mass tort topics at conferences for federal and state court judges, attorneys, academic professionals and law students.

Fidelma was highlighted in the 2013 Litigation edition of *The Legal 500 United States* for her work in mass tort and class action: plaintiff representation- toxic tort. In recognition of her legal work on the Rhode Island lead paint case, *Rhode Island Lawyers Weekly* named Fidelma a 2006 Rhode Island Lawyer of the Year, and she was a 2006 finalist for the Public Justice Foundation's Trial Lawyer of the Year award. In 2010, The National Trial Lawyers named her one of its *Top 100 Trial Lawyers™* in Rhode Island. Fidelma has been selected by her peers for inclusion in the 2008 and 2010-2013 editions of *New England Super Lawyers®* and *Rhode Island Super Lawyers®*. She has also been listed every year since 2008 in *The Best Lawyers in America®* for her work in mass tort litigation/class actions- plaintiffs.

Named a Motley Rice member in 2006, Fidelma serves as a volunteer attorney with the American Civil Liberties Union. She is a member of the American Association for Justice, American Bar Association, Public Justice, Rhode Island Association for Justice and Rhode Island Women's Bar Association. She also serves on the Science Advisory Board at Canisius College and as the Rhode Island State Coordinator for the Public Justice Foundation.

TEAM BIOS:

Jodi Westbrook Flowers

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Fourth Circuit and District of Columbia Circuit

U.S. District Court for the District of South Carolina

EDUCATION:

J.D., University of South Carolina School of Law, Carolina Legal Scholar, 1993

B.A. magna cum laude, College of Charleston, 1989

Jodi Flowers leads Motley Rice's Anti-Terrorism and Human Rights practice group, the legal team founded by Ron Motley that brought the groundbreaking complex litigation against the financiers and material supporters of al Qaeda. Representing thousands of family members and survivors of Sept. 11, 2001, in a pioneering civil action to hold al Qaeda's sponsors accountable and cut off the terror support pipeline, she serves on the Plaintiffs' Executive Committee for the *In re Terrorist Attacks on September 11, 2001* litigation consolidated by the Multidistrict Litigation Panel. Jodi is currently involved in processing claims for the new Victims' Compensation Fund for first responders, area residents, and anyone whose health may have been affected by exposure to environmental toxins released in the terrorist attacks. She was also an integral member of the Motley Rice aviation security litigation team seeking accountability and change in aviation security following the 9/11 attacks.

Jodi handles a variety of other anti-terrorism cases regarding the state-sponsorship of international terrorism, as well as human rights litigation involving violations of international law and human rights abuses. She plays a lead role in the firm's involvement in a case concerning Arab Bank's alleged material support of terrorism, *In re Almog v. Arab Bank*. Jodi also authored an amicus brief, supporting section 1502 of the Dodd-Frank Act, regarding the trade regulation of conflict minerals in the Democratic Republic of the Congo. Using her experience in complex case resolution, she served as the lead negotiator in the last hold-out of the individual cases against Libya for the Lockerbie bombing of Pan Am Flight 103. Jodi continues to seek justice for victims of Libyan sponsored terrorism during Qadhafi's reign.

Additionally, Jodi has worked on toxic environmental cases in the Virgin Islands involving leaking gas tanks, and she is currently representing clients in advancing their Deepwater Horizon oil spill claims through the programs established by the two settlements reached with BP.

Jodi's legal career has included developing, researching and managing complex litigation and class actions on behalf of injured consumers and citizens in lawsuits and trials involving tobacco, asbestos, lead pigment, aviation, transportation and vehicle defects. She litigated against lead paint/pigment manufacturers, Bridgestone/Firestone for injuries caused by tire defects cases, and the telecom industry for wiretapping. She has served on numerous MDL Executive Committees and Subcommittees. Currently, she plays an active role in litigating multiple complex securities fraud cases and shareholder derivative suits.

Jodi began her career applying restitution and fraud theories to the litigation against the tobacco industry which resulted in the historic Master Settlement Agreement between the state attorneys general and the tobacco industry. She developed expert and whistleblower testimony, synthesized millions of pages of documents and prepared the tobacco cases for trial. She prepared the false-marketing and child targeting case against the tobacco industry which resulted in restrictions on cartoon ads and the retirement of Joe Camel.

Jodi has been interviewed by various media outlets, including U.S. and foreign television, radio and print media, and is the author of "Remarks on the GJIL Symposium on Corporate Responsibility and the Alien Tort Statute," *Georgetown Journal of International Law*, Volume 43 - Issue 4, Summer 2012. (43 Geo. J. Int'l. L. 1601). She provides pro bono work on a variety of global, national and community issues and helped establish the firm's Charitable Contributions Committee. The 2012 and 2013 editions of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* recognized Jodi as a "Litigation Star" in its national rankings for civil rights/human rights and mass tort/product liability, as well as its South Carolina rankings in environmental, human rights, mass tort and securities. She was also named to the 2010, 2011 and 2012 editions of *The Lawdragon™ 500 Leading Lawyers in America* list for her work in plaintiffs' litigation.

Jodi serves on the International Law Committee of the South Carolina Bar and is a member of the American Association for Justice, the South Carolina Association for Justice, the American Bar Association, the Charleston Bar Association and the Daughters of the American Revolution.

Vincent L. Greene IV

LICENSED IN: RI

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of Rhode Island

EDUCATION:

J.D., George Washington University, 1998

B.A., College of the Holy Cross, 1995

Vin Greene works on behalf of victims of lead poisoning and asbestos-related diseases. He represents children and families poisoned by exposure to lead paint and pigments in trials, negotiations and settlements. Vin's legal efforts led to his critical role in defeating tort reform legislation in Rhode Island, utilizing testimony, analysis and grassroots outreach to push passage of a bill that helped prevent childhood lead poisoning without infringing on victims' rights. For his numerous efforts and accomplishments, the Childhood Lead Action Project honored him with its Beyond the Call of Duty Award in 2001.

Currently, Vin represents workers and families suffering from mesothelioma and other asbestos-related diseases as a result of occupational, environmental or household exposure to asbestos. He has managed asbestos cases and negotiations on behalf of hundreds of individuals, including arguing before the Supreme Courts of Ohio and Rhode Island.

TEAM BIOS:

Vin began working with Motley Rice attorneys in 1997 on the landmark litigation against the tobacco industry and medical malpractice cases. He was recognized in the 2012-2014 editions of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* as a "Local Litigation Star" in the Rhode Island rankings in environmental, medical malpractice and toxic tort. Martindale-Hubbell® recognizes Vin as a BV® rated attorney.

Named a Motley Rice member in 2008, Vin is a member of the American Association for Justice and American Civil Liberties Union. He additionally serves on the Board of Directors for the Rhode Island Association for Justice.

John E. Herrick

LICENSED IN: MD, SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Central District of Illinois, District of Maryland, District of South Carolina, Eastern and Western Districts of Wisconsin

EDUCATION:

J.D., University of South Carolina School of Law, 1988

B.A., University of South Carolina, 1983

John Herrick has spent more than 20 years representing victims of asbestos exposure suffering from mesothelioma and other asbestos-related diseases. As a leader of the firm's occupational disease practice, John continues to fight for the rights of those harmed by asbestos and other occupational diseases and assists in managing the firm's asbestos litigation teams. A senior trial lawyer with years of courtroom experience, John represents individuals and families against defendants which manufactured and sold defective and unreasonably dangerous asbestos-containing products and equipment, as well as premise owners and contractors who specified and installed those products.

John has litigated asbestos cases resulting from occupational, environmental and household exposure, receiving verdicts in hundreds of matters. Most recently, John was lead trial counsel in a welding fume verdict for the plaintiff on behalf of a welder who developed manganism from exposure to welding fumes. He won the first affirmed jury verdict in the United States for a domestic, asbestos- exposed mesothelioma victim in the Marie Granski case and achieved the first verdict in the United States against SCAPA US, the former manufacturer of asbestos-containing dryer felts. John also worked as lead trial counsel in the Harlow trial group, cited as a top 100 case of the year by *The National Law Journal*, and litigated a personal injury case against a tobacco company for a plaintiff harmed by the use of asbestos in cigarette filters.

John was highlighted in the 2009, 2011 and 2012 Litigation editions of *The Legal 500 United States* (mass tort and class action: plaintiff representation- toxic tort) and was given an AV® rating by Martindale-Hubbell®. He is a member of the American Association for Justice, American Bar Association and South Carolina Association for Justice. He also serves as a frequent guest speaker at asbestos litigation-related seminars.

James M. Hughes, Ph.D.

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court, U.S. Court of Appeals for the First and Fourth Circuits, U.S. District Court for the District of South Carolina

EDUCATION:

J.D., University of South Carolina School of Law, 1993

Ph.D., University of Illinois, Chicago, 1983

M.A., University of Illinois, Chicago, 1976

B.A., University of Minnesota, 1975

Jim Hughes practices securities fraud and shareholder litigation on behalf of institutional investors, public pension funds and unions. A former professor of philosophy, Jim's practice includes developing strategic legal arguments and drafting legal complaints and lead plaintiff motions. He plays a key role in cases involving corporate governance issues, shareholder derivative lawsuits and consumer and securities fraud.

Jim previously concentrated his practice on occupational disease and toxic torts, representing individuals such as steel and chemical workers injured by the exposure to silica and asbestos in the workplace. His efforts on behalf of occupational disease victims led to his arguing before appellate courts in Illinois and Minnesota. He shared his experience with silica litigation and product identification at several national conferences, addressing the plaintiff's perspective and other pertinent issues.

A published author on several legal and academic themes, Jim's law review article, "Informing South Carolina Capital Juries About Parole" (44 S.C. Law Review 383, 1993) was cited in 2000 by U.S. Supreme Court Justice John Paul Stevens in his dissenting opinion in *Ram Dass v. Angelone*. His reported opinions include *Ison v. E.I. DuPont de Nemours & Co.* (Del. 1999), *In re Minnesota Asbestos Litigation* (Minn., 1996), *W.R. Grace & Co. v. CSR Ltd.*, (Ill. App. Ct. 1996) and *In re Tutu Wells Contamination Litigation* (D.V.I. 1995).

Jim began his legal career with the plaintiffs' bar after clerkships with the South Carolina Office of Appellate Defense and a business, employment and intellectual property defense firm. He is recognized as an AV® rated attorney by Martindale-Hubbell® and is a member of the American Association for Justice and the South Carolina Association for Justice.

TEAM BIOS:

Rebecca M. Katz

LICENSED IN: NY

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Second Circuit

U.S. District Court for the District of Colorado, and Southern, Eastern and Western Districts of New York

EDUCATION:

J.D., Hofstra University School of Law, 1990

B.S., Hofstra University, 1987

Rebecca Katz brings to Motley Rice's Securities and Consumer Fraud team more than 20 years of complex litigation experience, including experience as a former senior counsel for the SEC's Enforcement Division and an extensive background in both *qui tam* and SEC whistleblower cases. Rebecca currently represents individuals in SEC whistleblower litigation, as well as institutional investors in securities fraud class and individual actions. She is the managing member of the firm's New York office and leads its SEC whistleblower practice.

Prior to joining Motley Rice, Rebecca was a partner at a large New York firm, where she played a central management role in a number of major cases. She represented the Republic of Iraq and the Iraqi people in *Republic of Iraq v. ABB AG, et al.*, No. 08-CV-5951 (S.D.N.Y.), a case alleging corruption of the Oil-for-Food Programme that was established by the United Nations in 1995 to help provide basic necessities to Iraqi citizens. As a member of the Plaintiffs' Executive Committee for *In re Initial Public Offering Securities Litigation*, No. 21-MC-92 (S.D.N.Y.), which ultimately settled for \$586 million, she oversaw the hundreds of coordinated actions involved in the litigation. In addition, Rebecca has represented the Public Employees Retirement Association of New Mexico and the New Mexico Educational Retirement Board in individual securities cases against numerous defendants, including Wells Fargo & Company, for their alleged breach of contract and fiduciary duty in connection with certain investments in a securities lending program.

Rebecca is a regular guest speaker at legal conferences throughout the country, including public pension and Taft-Hartley fund conferences, and has presented on issues that include emerging developments in securities litigation and the SEC whistleblower provisions of the Dodd-Frank Act, as well as complex and class action litigation. As a former faculty member at the Practising Law Institute's Securities Litigation & Enforcement Institute, she explored a variety of issues impacting securities law and lectured at the Fordham University School of Law's Eugene P. and Delia S. Murphy Conference on Corporate Law—Corporations, Investors and the Securities Markets. Rebecca has published numerous articles, including "Plaintiffs' Perspective: The SEC's Final Rules for Whistleblowers Offer a Balanced Approach to an Important New Program," *Securities Litigation Report* (with James M. Weir), July/August 2011; and "The Dodd-Frank Act: New Life for Whistleblowers and the SEC," *Securities Litigation Report* (with David B. Harrison), September 2010.

Rebecca's securities litigation experience earned her recognition in the 2013 and 2014 editions of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys*, which honored her as a "Local Litigation Star" in the New York rankings in securities. She was selected by her peers for inclusion in the 2008, 2009, 2010 and 2013 editions of *New York Metro Super Lawyers®* and in the 2011 *Super Lawyers®* Business Edition in the litigation practice area. She was also recommended in the 2012 Litigation edition of *The Legal 500 United States* for her work in mass tort and class action: plaintiff representation – securities.

Rebecca earned a law degree from Hofstra University School of Law, where she was a member of the *Hofstra Law Review*. She is a member of the New York City Bar Association Securities Litigation Committee.

Anne McGinness Kears

LICENSED IN: DC, SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Eastern District of New York, Eastern and Western Districts of Pennsylvania and District of South Carolina

EDUCATION:

J.D. cum laude, University of South Carolina School of Law, 1998

B.S., Syracuse University, 1983

Anne McGinness Kears focuses her practice on severe personal injury, representing children and adults in cases involving workplace injuries, toxic exposure, catastrophic burns, brain damage, loss of limb and paralysis, as well as wrongful death resulting from negligence and defective products. Through litigation, she has spent more than a decade seeking to hold accountable numerous corporations that put profits before safety, from the asbestos and tobacco companies to various consumer product manufacturers. Anne's work has been instrumental in causing the implementation of better safety practices and corporate governance measures and holding companies accountable for consumers' health and safety. She serves in a managing role for the firm's occupational health and catastrophic injury practice groups.

Anne works closely with families suffering from extreme and life-altering injuries caused by negligent manufacturing or management. She represents people severely burned by the ethanol-based fuel gel used in decorative firepots and is a member of the Motley Rice team litigating dozens of claims against manufacturers Napa Home and Garden, Inc., and Fuel Barons, Inc., and their insurers. Additionally, she represents a West Virginia resident seriously injured by carbon monoxide poisoning while a hotel guest and recently resolved a suit filed by a family whose young daughter suffered brain damage after a near drowning.

During law school, Anne supported the legal team representing the State Attorneys General in the historic lawsuit against Big Tobacco, which resulted in the largest civil settlement in U.S.

TEAM BIOS:

history. After graduation, she helped litigate *Falise v. American Tobacco Company* and began representing asbestos victims. Today, she continues to represent people diagnosed with the devastating, deadly occupational disease mesothelioma caused by asbestos exposure in the chemical, electric power generation, steel or construction industries. She also litigates asbestos claims for household exposure victims, including children and housewives who developed mesothelioma or other asbestos-related diseases because they were exposed to asbestos a family member brought home on clothes or belongings.

Anne has tried several noteworthy cases, including *Cox vs. A&I Company*, West Virginia's first domestic asbestos exposure case, and the 2002 West Virginia Consolidated Asbestos Trial against Union Carbide in which the company was found to have maintained unsafe working conditions at its plants throughout the state. In addition to maintaining an active trial schedule, Anne represents Canadian Workers' Compensation Boards in U.S. courts to recoup benefits they paid Canadian asbestos victims.

Anne has written several articles of interest to the plaintiffs' bar and frequently speaks on asbestos litigation, general product liability and tort reform at seminars across the country. She has been published on major legal issues, including *forum non conveniens* and defective products abroad, corporate misconduct, medicolegal aspects of asbestos litigation and mass tort litigation. Anne contributed to the 12th chapter of the book, "Pathology of Asbestos-Associated Diseases" (*Medicolegal Aspects of Asbestos-Related Diseases: A Plaintiff's Attorney's Perspective*, 2nd ed., 2004). Edited by Victor L. Roggli, MD; Tim D. Oury, MD, PhD; and Thomas A. Sporn, MD, this publication is a comprehensive asbestos reference book used by both physicians and attorneys.

Anne's peers selected her for inclusion in the 2011-2014 editions of *The Best Lawyers in America*® for her work in mass tort litigation/class actions- plaintiffs, and both the 2012 and 2013 editions of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* recognized her as a "Litigation Star" in both its national and South Carolina rankings for mass tort/product liability. The National Trial Lawyers named her in 2010 as one of its Top 100 Trial Lawyers™ in South Carolina. She was also highlighted in the 2009, 2011 and 2012 Litigation editions of *The Legal 500 United States* (mass tort and class action; plaintiff representation- toxic tort). Anne was selected by her peers for inclusion in the 2013 *South Carolina Super Lawyers*® list and is recognized as a BV® rated attorney by Martindale-Hubbell®.

In 2012, Anne was elected to the Board of Governors for the South Carolina Association for Justice and asked to serve on its Legislative Policy Working Group. She was also elected in 2012 to be the South Carolina state delegate to the Board of Governors of the American Association for Justice. She serves as a chair of the AAJ Committee on Asbestos Education for the Asbestos Litigation Group and Vice-Chair for STEP (Section of Toxic, Environmental and Pharmaceutical Torts). In 2011, Anne

was re-elected to the Public Justice Foundation's Board of Directors and, in 2012, was elected to serve on the Foundation's Executive Committee. She also serves as Treasurer for the Public Justice Foundation. She was named in 2011 to the Executive Board for Safe Kids Trident Coalition, a local chapter of Safe Kids USA, to advocate for childhood injury prevention.

Anne is a member of the American Association for Justice, American Bar Association, South Carolina Association for Justice and Litigation Counsel of America Trial Lawyer Honorary Society. A University of South Carolina School of Law bronze Compleat Award recipient, she is also a member of the Order of the Coif, Order of the Wig and Robe, John Belton O'Neal Inn of Court and the James L. Petigru Chapter of the American Inns of Court.

Marlon E. Kimpson

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of South Carolina

EDUCATION:

J.D., University of South Carolina School of Law, 1999

B.A., Morehouse College, 1991

Marlon Kimpson represents victims of corporate malfeasance, from investors in securities and consumer fraud cases to people injured or killed in aviation disasters and other catastrophic incidents. Building upon the firm's relationships with unions and governmental entities, Marlon represents individuals, state and municipality pension funds, multi-employer plans, unions and other institutional investors in securities fraud class actions and mergers and acquisition cases to help recover assets and improve corporate governance. Marlon has worked on shareholder derivative litigation and on mergers and acquisitions cases that include: *In re Atheros Communications, Inc., Shareholder Litigation*, *In re Celera Corporation Shareholder Litigation*, *In re RehabCare Group, Inc., Shareholders Litigation* and *In re Coventry Healthcare, Inc., Shareholder Litigation*. Marlon currently serves as South Carolina State Senator of District 42, representing citizens of Charleston and Dorchester Counties.

Marlon joined Motley Rice attorneys in 2000 and has played an integral role in developing the firm's catastrophic injury, aviation, asbestos and securities fraud practice groups. He has worked as a member of the aviation team on commercial and charter aviation cases with clients, defendants and accidents involving multiple countries. He has also worked with the Environmental team to represent people and businesses that need help filing their claims under the new claims programs established by the two Deepwater Horizon BP oil spill settlements.

A frequent speaker, Marlon has presented at seminars and conferences across the country, including the Public Funds Summit, the National Association of State Treasurers, the South Carolina Black Lawyers' Association, the National Conference on Public Employee Retirement Systems (NCPERS) and the National Association of Securities Professionals (NASP).

TEAM BIOS:

After five years in commercial banking, Marlon earned a law degree before serving as a law clerk to Judge Matthew J. Perry of the U.S. District Court of South Carolina. His work in the legal field was recognized by *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys*, which named Marlon in 2012 as a "Litigation Star" in its national rankings for mass tort/product liability and, in the 2012-2014 editions, as a "Local Litigation Star" in its South Carolina rankings in environmental, mass tort and securities. His legal work and volunteer service also earned him the University of South Carolina School of Law bronze Compleat Award. Martindale-Hubbell® recognizes Marlon as a BV® rated attorney.

Marlon is active in his community and formerly served on the Board of Directors for the Peggy Browning Fund. He has also held leadership roles with the University of South Carolina Board of Visitors, the Charleston Black Lawyers Association and the South Carolina Election Commission. He is a lifetime member of the NAACP and a member of the American Association for Justice, American Bar Association, National Bar Association, South Carolina Association for Justice, Sigma Pi Phi Boulé and Omega Psi Phi fraternity.

Mark I. Labaton

LICENSED IN: CA, DC

ADMITTED TO PRACTICE BEFORE:

Supreme Courts of California, the District of Columbia and Pennsylvania; U.S. Court of Appeals for the First, Second, Third, Fifth, Seventh, Ninth and D.C. Circuits; U.S. District Court for the Districts of Colorado, Massachusetts, Utah, and District of Columbia, Western District of Washington, Central, Northern, Southern and Eastern Districts of California

EDUCATION:

J.D., Duke University School of Law, 1988

M.A., Northwestern University Medill School of Journalism, 1981

B.A., Oberlin College, 1980

As a former federal prosecutor, Mark Labaton is a long-standing advocate for corporate responsibility and financial accountability. For many years, Mark has litigated complex securities fraud, whistleblower, shareholder rights, corporate governance, insurance, financial fraud and consumer fraud cases. He currently serves as managing partner of the firm's Los Angeles office, Motley Rice LLP, and leads its *qui tam* whistleblower litigation team.

Mark has been instrumental in securing multiple settlements and judgments for his clients totaling close to \$1 billion. He has served as lead attorney or played an integral role in prosecuting (and defending) high-profile cases against a broad range of Fortune 500 and other large public and private companies, as well as prominent corporate officers and directors. A number of these cases have resulted in important legal precedents.

Early in his career, Mark served as an Assistant U.S. Attorney for the Central District of California, where he prosecuted white-collar fraud cases against officers, directors and senior executives of federally-insured financial institutions and False Claims Act actions against healthcare providers, defense contractors and other government contractors. He received

awards and commendations from the U.S. Attorney General, several U.S. Attorneys, the FDIC, the FDIC's Office of the Inspector General, the Federal Bureau of Investigation, the Federal Reserve Board of Governors, the Immigration and Naturalization Service and the Small Business Administration. Mark also served as legal counsel to a mayoral transition team and, subsequently, as a special counsel to the District. He worked directly with the Director of the D.C. Department of Health, Vincent Gray, to develop a comprehensive ten-year plan for the District's healthcare system.

Mark's passion for writing has led to numerous published non-legal commentary, features and articles for daily, national and local newspapers and regional magazines. Awarded funding from the Ford Foundation, he wrote a series of articles on human rights issues for several international newspapers. Additionally, he has published more than two dozen legally-related commentary articles in publications that include: *Los Angeles Real Estate Journal*, *Los Angeles Lawyer*, *San Francisco Daily Journal*, the *Duke Law Journal*, the *Banking Law Review*, *Practising Law Institute's Securities Law Handbook*, the *Consumer Lawyers Advocate* magazine, *Legal Times*, *Texas Lawyer*, *New Jersey Lawyer*, *Manhattan Lawyer* and *Irish Times*. For years, he has written as a featured business law columnist in the *Los Angeles Daily Journal*. He also appeared in published symposia and was featured on the cover of *Los Angeles Lawyer* magazine in connection with a lead article on credit default swaps, which that magazine's editors solicited from him based on his work as an advocate for securities and consumer fraud victims.

At Duke University School of Law, Mark served as a staff and editorial board member of the *Duke Law Journal* and received the Hervey M. Johnson Writing Prize for the best law review article. The article was later cited in court opinions and other law review articles that led to an amendment of the Federal Rules of Civil Procedure.

Both national and local media frequently quote Mark, and he has been named for five consecutive years to the *Southern California Super Lawyers*® list. He has also been a featured speaker, panelist and moderator at legal conferences hosted by Duke University School of Law, Taxpayers Against Fraud, the Institute of Law and Economic Policy, the Rand Institute, the Claremont University Drucker and Ito Business School, the U.S. Department of Justice, the FDIC, the U.S. Department of Education, the Beverly Hills Bar Association and the National Association of Legal Professionals.

Mark is an elected member of the American Law Institute, serves as Vice President of the Institute of Law and Economic Policy, and is an appointed member of the Appellate Courts Committee of the Los Angeles Bar Association and its Antitrust and Unfair Business Practice section. He served on the Board of Governors of the Association of Business Trial Lawyers from 2008 to 2012. He is also a member of Taxpayers Against Fraud and its Dodd-Frank SEC Working Group, the American Association for Justice, the Association of Former U.S. Attorneys and Assistant U.S. Attorneys for the Central District of California, the National Association of Shareholder and Consumer Attorneys, and the American Bar Association White Collar Crime Committee.

TEAM BIOS:

Gregg S. Levin

LICENSED IN: DC, MA, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First, Second, Third, Fifth, Ninth and Eleventh Circuits

U.S. District Court for the District of Colorado

EDUCATION:

J.D., Vanderbilt University School of Law, 1987

B.A., University of Rochester, 1984

With more than two decades of legal experience, Gregg Levin represents domestic and foreign institutional investors and union pension funds in corporate governance, directorial misconduct and securities fraud matters. His investigative, research and writing skills have supported Motley Rice as lead or co-lead counsel in numerous securities and shareholder derivative cases against Dell, Inc., UBS AG and Cintas Corporation. Gregg manages complaint and brief writing for class action deal cases, shareholder derivative suits and securities fraud class actions.

Prior to joining Motley Rice, Gregg was an associate with Grant & Eisenhofer in Delaware, where he represented institutional investors in securities fraud actions and shareholder derivative actions in federal and state courts across the country, including the WorldCom, Telxon and Global Crossing cases. He also served as corporate counsel to a Delaware Valley-based retail corporation from 1996-2003, where he handled corporate compliance matters and internal investigations.

Gregg is a published author on corporate governance and accountability issues, having written significant portions of the treatise *Shareholder Activism Handbook* (Aspen Publishers, November 2005), as well as several other articles of interest to institutional investors, including:

"In re Cox Communications: A Suggested Step in the Wrong Direction" (Bank and Corporate Governance Law Reporter, September 2005)

"Does Corporate Governance Matter to Investment Returns?" (Corporate Accountability Report, September 23, 2005)

"In re Walt Disney Co. Deriv. Litig. and the Duty of Good Faith under Delaware Corporate Law" (Bank and Corporate Governance Law Reporter, September 2006)

"Proxy Access Takes Center Stage: The Second Circuit's Decision in American Federation of State County and Municipal Employees, Employees Pension Plan v. American International Group, Inc." (Bloomberg Law Reports, February 5, 2007)

"Investor Litigation in the U.S. -- The System is Working" (Securities Reform Act Litigation Reporter, February 2007)

Appearing in the media to discuss a variety of securities matters, Gregg has also presented in more educational forums, including at the Ethics and Transparency in Corporate America Webinar held by the National Association of State Treasurers.

Robert J. McConnell

LICENSED IN: MA, RI

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of Massachusetts, District of Rhode Island

EDUCATION:

J.D., Suffolk University School of Law, 1987

A.B., Brown University, 1979

Bob McConnell's practice concentrates on lead pigment litigation, childhood lead poisoning cases and other toxic environmental litigation with Motley Rice's Environmental practice group. For several years, Bob prepared for and served on the trial team in the landmark trial on behalf of the state of Rhode Island against corporate defendants from the lead paint industry. In 2005, he successfully argued the precedent-setting case *Thomas v. Mallett* 285 Wis 2d 236 as part of the Motley Rice trial team applying risk contribution theory to the lead paint industry before the Wisconsin Supreme Court.

Bob currently represents children injured by childhood lead poisoning against property owners, governmental agencies and lead pigment companies. In Rhode Island, Bob secured the largest lead paint poisoning settlement on behalf of a child injured by lead poisoning. He also played a leading role in a statewide lobbying effort to defeat legislation that would have denied lead-poisoned children and their families the right to seek justice. Through testimony, analysis and grassroots outreach, he helped the Rhode Island legislature pass a bill helping to prevent childhood lead poisoning without infringing on victims' rights.

Additionally, Bob litigates cases involving environmental hazards such as groundwater or soil contamination. He represents victims seeking corporate accountability as a result of personal injury, property damage and economic loss as a result of negligent environmental practices. Recently, Bob represented more than 100 residents of Tiverton, Rhode Island, in an environmental contamination lawsuit against a major New England utility company.

With over two decades of experience in asbestos litigation, Bob also works on the firm's occupational disease and toxic tort litigation. He continues to represent victims of asbestos exposure suffering from mesothelioma and other asbestos-related diseases. He has managed large consolidation trials in several states including Maryland, Mississippi and West Virginia.

After beginning his career as a teacher, Bob earned a law degree and clerked for the Honorable Donald F. Shea of the Rhode Island Supreme Court. He joined Motley Rice attorneys on the tobacco litigation team representing multiple state attorneys general, which resulted in the historic Master Settlement Agreement between the states and the tobacco industry.

Recognized as an AV® rated attorney by Martindale-Hubbell®, Bob was named a "Local Litigation Star" in the 2012-2014 editions of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* in its Rhode Island rankings in environmental and toxic tort. He has been selected by his peers for inclusion in every edition of *The Best Lawyers in America*® since 2009 for his work in mass tort litigation/class

TEAM BIOS:

actions- plaintiffs. In addition, Bob has been selected by his peers for inclusion in the *New England Super Lawyers*® and *Rhode Island Super Lawyers*® lists each year since 2008.

Highly active in the Rhode Island community, Bob serves as board vice chairman of The Institute for the Study and Practice of Nonviolence, an organization that seeks to promote nonviolence among young people in Rhode Island's inner cities. He is also a board member for the George Wiley Center, which advocates for the rights of low income Rhode Island citizens, and the Fund for Community Progress, an organization that supports 26 grassroots organizations working for long-term community change.

Bob frequently speaks about lead paint litigation to local and regional groups such as the Rhode Island Bar Association and the Northeast Conference of Attorneys General. He is a member of the American Association for Justice and the American Bar Association.

Donald A. Migliori

LICENSED IN: MA, MN, NY, RI

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First and Fourth Circuits, U.S. District Court for the District of Rhode Island, District of Massachusetts and Northern, Southern and Eastern Districts of New York

EDUCATION:

M.A./J.D., Syracuse University, 1993

A.B., Brown University, 1988

Building upon his experience in complex asbestos cases, the historic tobacco lawsuits and 9/11 litigation, Don Migliori is a multifaceted litigator. He represents victims of terrorism, aviation disasters, environmental contamination, defective medical devices and drugs, occupational diseases and securities and consumer fraud in cutting-edge litigation that spans the country.

Don played a central role in the extensive discovery, mediations and settlements of more than 50 cases of 9/11 aviation liability and damages against numerous defendants. In this role, Don represents families of the victims of the September 11, 2001, attacks who opted-out of the Victim Compensation Fund to seek greater answers, accountability and recourse, and serves as liaison counsel for all wrongful death and personal injury cases in the 9/11 aviation security litigation. Additionally, he manages anti-terrorism litigation associated with the 9/11 terrorist attacks as a lead attorney of the 9/11 Families United to Bankrupt Terrorism groundbreaking litigation designed to bankrupt the financiers of al Qaeda.

Don serves as co-lead plaintiffs' counsel and liaison counsel for the Composix® Kugel® Mesh multidistrict litigation, *In re Kugel Mesh Hernia Patch Products Liability Litigation*, the first MDL in federal Rhode Island Court, on behalf of thousands of individuals alleging injury by the hernia repair patch. In *Christopher Thorpe and Laure Thorpe v. Davol, Inc. and C.R. Bard, Inc.*, the second case to go to trial out of thousands of cases filed in the MDL, the U.S. District Court for the District of Rhode Island found

hernia patch manufacturer Davol and parent company C.R. Bard liable for negligent design of the patch and failure to warn of the dangers associated with the patch. The jury awarded \$1.5 million to the plaintiffs for personal injury damages and loss of consortium. He serves as liaison counsel for the Composix® Kugel® Mesh lawsuits consolidated in Rhode Island state court.

Don serves as co-liaison counsel in the N.J. Bard pelvic mesh litigation in Atlantic County and plays a central role in the thousands of cases involving women allegedly harmed by pelvic mesh/sling products. Hundreds of cases have been filed in federal and states courts against defendants that include American Medical Systems, Inc. (AMS), Boston Scientific, C.R. Bard, Inc., and Johnson & Johnson. He is a member of the Plaintiffs' Steering Committee in the Levaquin® litigation, as well as the Depuy® Orthopaedics, Inc. ASR™ and Pinnacle® Hip Implant MDLs.

Motley Rice's Securities and Consumer Fraud team relied upon Don's experience in connection with the commencement of and strategy for shareholder derivative litigation brought on behalf Chiquita Brands International, Inc., alleging the defendants breached their fiduciary duties by paying bribes to terrorist organizations in violation of U.S. and Columbian law. He also served as trial counsel for PACE Industry Union-Management Pension Fund in a securities case against Forest Laboratories, Inc., and was involved in the initial liability discovery and trial strategy in an ongoing securities fraud class action involving Household International, Inc.

Don began working with Motley Rice attorneys in 1997 on behalf of the State Attorneys General in the historic lawsuit against Big Tobacco, resulting in the largest civil settlement in U.S. history. He has more than a decade of interdisciplinary experience with asbestos, medical and securities litigation. He tried several noteworthy asbestos cases on behalf of mesothelioma victims, including the state of Indiana's first contractor liability verdict and first premises liability verdict for wrongful exposure to asbestos. He continues to manage asbestos cases and actively litigates mesothelioma lawsuits in the courtroom.

Don is a frequent speaker at legal seminars across the country and has appeared on numerous television and radio broadcast programs, as well as in print media to address legal issues related to terrorist financing, aviation security, class action litigation, premises liability, asbestos and defective medical devices cases. A "Distinguished Practitioner in Residence" at Roger Williams University School of Law for the 2010-2011 academic year, he currently teaches mass torts as an adjunct professor.

Rhode Island Lawyers Weekly and *Massachusetts Lawyers Weekly* each selected Don as being among their 2011 Lawyers of the Year. The 2012-2014 editions of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* honored him as a "Local Litigation Star" in the Rhode Island rankings in human rights and product liability. An AV® rated attorney in Martindale-Hubbell®, Don was selected by his peers for inclusion in the 2009-2013 editions of *New England*

TEAM BIOS:

Super Lawyers® and *Rhode Island Super Lawyers®* and was named among the "Best of the Best" on the *Top 10 Rhode Island Super Lawyers* 2012 list. He was also selected by his peers for inclusion in the 2011–2014 editions of *The Best Lawyers in America®* for his work in mass tort litigation/class actions-plaintiffs. Rhode Island Lawyers Weekly selected him in 2011 as one of its Lawyers of the Year. In 2010, The National Trial Lawyers named him one of its *Top 100 Trial Lawyers™* in Rhode Island, and he was named in the 2010 edition of the *Lawdragon™* 3,000. Don was honored in 2005 as one of *Providence Business News'* Forty Under 40.

Don is the former President of the Rhode Island Association for Justice. He serves on the Board of Governors for the American Association for Justice and the Board of Directors for the National Center for Victims of Crime. He is also a member of the American Bar Association.

Ingrid L. Moll

LICENSED IN: CT, DC, NY, SC
ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Second, Fourth and Tenth Circuits, U.S. District Court for the District of Colorado, District of Connecticut, Eastern and Southern Districts of New York
EDUCATION:

J.D., University of Connecticut School of Law, 1999
B.A., Wheaton College, 1995

Ingrid Moll is a trial and appellate attorney who represents consumers, businesses and governmental entities in complex consumer protection, unfair trade practices, commercial and environmental litigation.

Prior to joining Motley Rice, Ingrid was an associate attorney at two large defense firms. She also served as a law clerk to Justice David M. Borden of the Connecticut Supreme Court from 1999–2001. As a law student, Ingrid was editor-in-chief of the *Connecticut Law Review*.

In recognition of her professional achievements and commitment to the community, Ingrid was honored with the 2005 *Hartford Business Journal's* Forty Under 40 award and the 2005 *Connecticut Law Tribune's* New Leaders of Law Impact Award.

Active in the Connecticut community, Ingrid serves as an executive member of the Board of Directors of the Connecticut Bar Foundation and is a co-chair of the Bar Foundation's grantmaking committee. Ingrid also serves as President-Elect of the Board of Directors of the Alumni Association of the University of Connecticut School of Law, where she previously taught moot court as an adjunct professor. Ingrid is President of the Oliver Ellsworth Inn of Court, and is a member of Swift's Inn, the Connecticut State Advisory Committee of the U.S. Civil Rights Commission and the Connecticut Client Security Fund Committee.

William H. Narwold

LICENSED IN: CT, DC, NY, SC
ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court, U.S. Court of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Ninth, Tenth, Eleventh and Federal Circuits, U.S. District Court for the District of Colorado, District of Connecticut, Eastern and Southern Districts of New York, District of South Carolina
EDUCATION:

J.D. *cum laude*, University of Connecticut School of Law, 1979
B.A., Colby College, 1974

Bill Narwold has advocated for corporate accountability and fiduciary responsibility for nearly 35 years, representing consumers, governmental entities, unions and institutional investors. He litigates complex securities fraud, shareholder rights and consumer fraud lawsuits, as well as matters involving unfair trade practices, antitrust violations, whistleblower/*qui tam* claims and intellectual property matters. Bill is the practice group leader of Motley Rice's Securities and Consumer Fraud practice group.

Additionally, Bill manages the firm's appellate group. His experience includes being involved in more than 200 appeals before the U.S. Supreme Court, U.S. Courts of Appeal and multiple state courts.

Bill joined Motley Rice in 2004, after directing corporate, financial, real estate, trust and estate litigation on behalf of private and commercial clients for 25 years at Cummings & Lockwood in Hartford, Connecticut, including 10 years as managing partner. Prior to his work in private practice, he served as a law clerk for the Honorable Warren W. Eginton of the U.S. District Court, District of Connecticut from 1979–1981.

Bill often acts as an arbitrator and mediator both privately and through the American Arbitration Association. He is a frequent speaker on legal matters, including class actions.

Named one of 11 lawyers "who made a difference" by *The Connecticut Law Tribune*, Bill serves the Hartford professional community as the past President of the Connecticut Bar Foundation and past member of the Board of Trustees of the University of Connecticut Law School Foundation. He was named in the 2008 *The Best of the U.S.* list and was selected by his peers for inclusion in the 2009–2013 editions of *Connecticut Super Lawyers®* and *New England Super Lawyers®*. He was named the *Best Lawyers®* 2013 Hartford Litigation- Banking & Finance "Lawyer of the Year" and has also been selected by his peers for inclusion in every edition of *The Best Lawyers in America®* since 2005 for his work in litigation- banking and finance; litigation- mergers and acquisitions; and litigation- securities. Bill is recognized as an AV® rated attorney by Martindale-Hubbell®.

He has also been involved with the Greater Hartford Legal Assistance Foundation and Lawyers for Children America. He is a member of the American Bar Association and the National Association of Consumer Advocates. For more than twenty years, Bill served as a Director and Chairman of Protein Sciences Corporation, a biopharmaceutical company in Meriden, Connecticut. In 2008, Bill received the Connecticut Bar Foundation's Legal Services Leadership Award.

TEAM BIOS:

Vincent I. Parrett

LICENSED IN: CA, NY, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court, U.S. Court of Appeals for the First, Second and Ninth Circuits, U.S. District Court for the Central, Northern and Southern Districts of California, Eastern and Southern Districts of New York and District of South Carolina, U.S. Navy - Marine Court of Criminal Appeals, U.S. Courts - Martial EDUCATION:

LT, JAG Corps, Naval Justice School, 1999

J.D., New York University School of Law, 1998

Goethe Institute, Mannheim, Germany, 1995

B.A., Yale University, 1994

Vince Parrett represents individual and institutional clients in complex litigation involving terrorist financing, human rights violations, securities and consumer fraud, aviation disasters and occupational diseases, as well as in maritime, asbestos, tobacco and lead paint cases.

As a member of Motley Rice's Anti-Terrorism and Human Rights practice group, Vince represents American and Israeli terrorism victims in international litigation seeking to hold accountable terrorist financiers who allegedly supported dozens of terror attacks in Israel during the Second Intifada. Vince also represents more than 6,500 family members, survivors and those who lost their lives in the 9/11 terrorist attacks in groundbreaking litigation against the alleged financial and material sponsors of al Qaeda.

Working with the firm's Securities and Consumer Fraud team, Vince litigates deal cases to protect shareholders' financial interests against under-priced and coercive corporate mergers and acquisitions and represents both individual and institutional investors seeking redress for financial injuries in securities fraud class actions. He is also a member of the trial team representing the People of the State of California and multiple counties, including the counties of San Francisco, Santa Clara, Los Angeles, and San Diego, in litigation against national lead paint manufacturers. This case, which is expected to try in late 2013, seeks to compel those manufacturers to remove lead paint from homes throughout California, particularly those occupied by lower-income families in inner-city, community housing.

Vince is additionally a part of the litigation team fighting ship owners and manufacturers of asbestos-containing products on behalf of crew members exposed for decades to asbestos aboard ships. He is litigating cases against international tobacco companies, as well, including litigation involving the issue of federal preemption. Motley Rice has intervened in this litigation to support the constitutional power of states and localities to protect the health and safety of citizens by regulating the time, place and manner of sale of certain tobacco products. Earlier in 2013, Vince won a liability verdict for the family of a wrongful death victim in a federal trial in the Middle District of Florida against a tobacco company.*

Before joining Motley Rice, Vince represented victims of the 9/11 attacks as an associate with a New York firm, where he handled multidistrict litigation and litigated aviation wrongful-death cases involving crashes of commercial and general aviation aircraft and helicopters internationally.

Upon graduating from NYU Law School, Vince worked for one year as an associate in the Litigation Department of Hale and Dorr in Boston, focusing on securities fraud litigation and SEC investigations. Vince next joined the U.S. Navy Judge Advocate General's Corps, where, after graduating with honors from the Naval Justice School in Newport, R.I., he served as a Naval Officer trying scores of courts-martial trials before juries at Naval Station Norfolk, Va. In 2002, LT Parrett was appointed as Officer-In-Charge of Naval Legal Service Office at Naval Air Station Oceana, where he led a team of JAG Officers providing legal counsel to the large Naval Aviation community in Virginia Beach, Va., until March 2003.

Vince has co-authored several articles and presentations, including *Aviation Lawyers Striking Back at the Terror Network; and Reflections on the 1999 Montreal Convention Affecting Victims of International Aviation Disasters in Congested Skies*. He was recognized in the inaugural 2012 edition of *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms & Attorneys*, which named him as a "Litigation Star" in its national rankings for civil rights/human rights, as well as its South Carolina rankings in human rights, personal injury and securities. Vince was recognized by *Benchmark Plaintiff* again in 2013 and 2014 as a "Local Litigation Star" in the South Carolina rankings for human rights, product liability, securities and toxic tort.

In 2012, Vince was appointed to the Board of Advisers of the Academy of American Legal Writers, a division of LawProse, the "oldest and largest provider of continuing legal education in writing, advocacy, and transactional drafting in the United States." He is also a member of the American Association for Justice, American Bar Association and Federal Bar Council Inn of Court.

Mary F. Schiavo

LICENSED IN: DC, FL, MD, MO, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

EDUCATION:

J.D., New York University School of Law, 1980 (Root-Tilden Scholar)

M.A., The Ohio State University, 1977 (University Fellow)

B.A., cum laude, Harvard University, 1976

Throughout her career in law and public service, Mary Schiavo has sought accountability and industry change from corporations, institutions and the government so that they may meet their obligation to protect the safety and security of the traveling public. With experience in transportation litigation, Mary represents victims and their families suffering from negligence of airline, automotive, commercial trucking, motorcoach and rail companies.

A leader of the firm's aviation team, Mary has represented passengers and crew of most major U.S. air crashes, as well as pilots and passengers on private or charter planes. She represents passengers, pilots, flight attendants and select owners and operators. Her experience with major, complex aviation litigation includes more than 50 cases on behalf of the family members of the passengers and crew of all the planes hijacked on Sept. 11, 2001.

TEAM BIOS:

Mary has held numerous government appointments under three U.S. Presidents, including that of Inspector General of the U.S. Department of Transportation from 1990 to 1996. Under Mary's direction, the agency investigated air safety, crimes and disasters; secured more than 1,000 criminal convictions; and exposed billions of dollars of fraud, waste and abuse of taxpayer money. She testified before Congress multiple times on transportation safety, security, budgeting and infrastructure. In recognition of her work combating the use of bogus aircraft parts worldwide, Mary was honored at the Smithsonian Institution with its Aviation Laurel Award in 1992 and 1995 and was inducted to the Aviation Laurel Hall of Fame in 1997.

As an Assistant U.S. Attorney early in her career, Mary litigated civil cases and prosecuted federal white-collar crimes, bank and securities fraud, mail and wire fraud, drug trafficking and counterfeiting. During her appointment, she also served on the U.S. Department of Justice's Organized Crime and Racketeering Strike Force, prosecuting high-profile criminal cases of bank and securities fraud and related mail and wire fraud, including a large investigation of a bank and securities fraud scheme that resulted in the federal takeover of banks, savings and loans throughout the Midwest.

In 1987, Mary was selected as a White House Fellow and assigned to the U.S. Attorney General, where she worked as the Special Assistant for Criminal Affairs. In this role, she reviewed high security prosecutions, prepared Foreign Intelligence Surveillance Act Requests, attended foreign legal summits with the Attorney General and worked on international prisoner and evidence exchanges. During this time, she also taught trial technique at the U.S. Attorney General's Advocacy Institute and the Federal Bureau of Investigation Academy. Her work earned her an appointment as the Assistant U.S. Secretary of Labor in 1989, where she led the Office of Labor Management Standards, supervising union elections and investigations on election and financial irregularities.

A frequent on-air contributor or consultant for several networks, Mary has appeared on ABC, CNN, CBS, Fox News, NBC, BBC, the History Channel and Discovery Channel. Named by *Glamour* magazine as a 1997 Woman of the Year, 1987 Working Woman of the Year and a Top Ten College Student in 1975, she has spoken about aviation safety on *20/20*, *60 Minutes*, *Good Morning America*, *Larry King Live*, *Nancy Grace*, *Nightline*, *Oprah*, *The O'Reilly Factor*, *Today*, and *Your World with Neil Cavuto*, among others. Mary is the author of *Flying Blind*, *Flying Safe*, a *New York Times* bestseller, featured in *Time* magazine for exposing the poor safety and security practices of the airlines and the failures of the federal government to properly regulate the aviation industry. She contributed to *Aviation Security Management* (Volume One, 2008) and *Supply Chain Security* (Volumes One and Two, 2010).

The 2012 and 2013 editions of *Benchmark Plaintiff*, *The Definitive Guide to America's Leading Plaintiff Firms & Attorneys* recognized Mary as a "Litigation Star" in its national rankings for mass tort/product liability, as well as its South Carolina rankings in mass tort and securities. She was also selected by her peers for inclusion in the 2010-2014 editions of *The Best Lawyers in America*® for her work in mass tort litigation/class actions- plaintiffs.

Mary received her pilot's license soon after her driver's license, and later completed private and commercial flight training at The Ohio State University. She returned to The Ohio State University as the McConnell Aviation Chair and professor from 1998-2002 and as the Enarson Professor of Public Policy from 1997-1998. She has also served as a practitioner in residence at the New York University School of Law. Mary is an affiliate member of the International Society of Air Safety Investigators, as well as a member of the American Association for Justice and the American Bar Association, where she served in the House of Delegates and as the First Female Assembly Delegate from 1986-1989.

Carmen S. Scott

LICENSED IN: SC

EDUCATION:

J.D., University of South Carolina School of Law, 1999

B.A., College of Charleston, 1996

Carmen Scott helps lead Motley Rice's mass tort pharmaceutical litigation by managing complex personal injury and economic recovery damages cases on behalf of victims of harmful medical drugs and devices, medical negligence, and corporate misconduct.

With a focus on women's products, Carmen has been on the forefront of national contraceptive litigation involving products such as Mirena® IUD, Nuvaring®, Yaz® and Yasmin®. She serves on the Plaintiffs' Steering Committee in the *In re NuvaRing Products Liability Litigation*, as co-lead counsel in the *In re Mirena Product Liability* state court consolidation in New Jersey, and as Co-Chair of the AAJ Mirena® IUD Litigation Group. Carmen currently represents clients in a variety of drug product matters, including osteonecrosis and femur fracture cases related to the osteoporosis drug Fosamax®.

Prior to joining Motley Rice in 2005 and concentrating her efforts on the medical practice area, Carmen represented numerous clients in jury trials, working on products liability, personal injury and business cases for both plaintiffs and defendants.

Carmen is a frequent speaker on medical litigation and topics involving women's products, regularly lecturing at both legal seminars and public advocacy events on such issues as plaintiffs' rights in medical negligence and dangerous drug cases. She has been quoted in numerous national media outlets and publications, including *The Associated Press*, *NBC News New York*, *Marie Claire*, *MotherJones* and *The Safety Report*. Carmen was selected by her peers for inclusion in the 2013 *South Carolina Super Lawyers® Rising Stars* list.

Active in her community, Carmen proudly serves as Vice Chair on the Board for the Make-A-Wish Foundation of South Carolina, fundraising and promoting the Foundation's mission, as well as serving as a "wish-granter" for families that have been selected by the organization. She has also served as a board member for the nonprofit organization Charleston County Friends of the Library. Carmen is a member of the American Association for Justice (AAJ), serving on its Exchange Advisory Committee, the American Bar Association (ABA), the South Carolina Association

TEAM BIOS:

for Justice (SCAJ) and the South Carolina Women Lawyers Association. A South Carolina native, Carmen was honored with the *Charleston Regional Business Journal's* Forty Under 40 award in 2013 in recognition of her professional achievements and contributions to the community.

Fred Thompson III

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court, U.S. Court of Appeals for the Fourth Circuit, U.S. District Court for the District of South Carolina

EDUCATION:

J.D., with distinction, Duke University School of Law, 1979
B.A., *cum laude*, Yale University, 1973

Fred Thompson leads Motley Rice's medical practice group, managing the firm's litigation related to defective medical devices, harmful pharmaceutical drugs, and medical malpractice, as well as overseeing the firm's nursing home abuse litigation team. In this role, Fred litigates personal injury and economic damage recovery cases on behalf of individuals harmed by negligence, product defects or misconduct.

His work has led to his appointment to numerous leadership positions, including co-lead coordinating counsel for the pelvic mesh lawsuits consolidated in the U.S. District Court for the Southern District of West Virginia and plaintiffs' co-lead counsel for both the Mirena® IUD multidistrict litigation in the U.S. District Court for the Southern District of New York and the federal Digitek® consolidation. Fred also holds membership on the Plaintiffs' Steering Committees for the Medtronic Sprint Fidelis® defibrillator lead, Avandia® and Trasyol® federal multidistrict litigations and serves as chairman of the American Association for Justice's Digitek® Litigation Group and co-chairman of the Kugel® Mesh Litigation Group. He co-authored "Composix® Kugel® Mesh: A Primer" for the Spring 2008 AAJ Section on Toxic, Environmental & Pharmaceutical Torts newsletter.

With more than two decades of diverse experience in personal injury, commercial and toxic tort law, Fred is also active with the firm's consumer fraud, commercial and economic damage litigation. He has represented clients in litigation involving bond issues and securities fraud in federal, state and bankruptcy forums as well as through alternative dispute resolution. Additionally, Fred has practiced commercial transaction work, including contracting, corporate, partnership and limited liability company formation, and capital acquisitions.

Recognized as an AV® rated attorney by Martindale-Hubbell®, Fred is a member of the American Association for Justice and frequently speaks on medical litigation topics at legal seminars throughout the country. He serves his local community as a Board Member for the East Cooper Community Outreach organization.

ADDITIONAL SECURITIES LITIGATORS

David P. Abel

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of South Carolina

EDUCATION:

J.D., *cum laude*, Charleston School of Law, 2009
M.B.A., The Citadel, 2005
B.A., *cum laude*, Clemson University, 2002

David Abel represents institutional investors and individuals in securities and consumer fraud litigation. With a diverse background in securities litigation, from identifying clients' financial losses and complaint drafting to calculating class-wide damages and settlement plan of allocation analysis, David focuses on initial case evaluation for securities fraud class actions, shareholder derivative actions, and mergers and acquisitions litigation.

David also serves as Director of Shareholder Services and Business Analysts, supervising the firm's securities portfolio monitoring service and financial analysis for securities actions. The portfolio monitoring service identifies losses suffered by clients due to corporate fraud or misconduct and enables them to carefully evaluate their options. The service additionally provides securities class action settlement claims processing.

David joined Motley Rice in 2006 as a Business Analyst for the Securities and Consumer Fraud practice group. He was later elevated to the position of Director of Shareholder Services and Business Analysts and began practicing as an attorney with the firm in 2010. Prior to his tenure at Motley Rice, David gained professional experience serving as a consultant for small businesses, Vice President of Operations for a mid-size tour company, and General Manager and Editor for a political consulting firm.

David is a graduate of the Charleston School of Law and holds an MBA from The Citadel. As an undergraduate at Clemson University, he was a member of the men's varsity cross country and track & field teams. David is fluent in Spanish, having once lived in Spain.

Rebecca M. Deupree

LICENSED IN: AL, FL, SC

EDUCATION:

J.D., University of Virginia School of Law, 2008
B.A., *summa cum laude*, Washington and Lee University, 2005

Rebecca Deupree is a member of Motley Rice's Securities and Consumer Fraud practice group, litigating securities and consumer fraud cases on behalf of institutional investors, government entities and consumers. Rebecca also works closely with the Environmental team, helping people and businesses in Gulf Coast communities file claims through the new claims programs established by the two settlements reached with BP.

TEAM BIOS:

Prior to joining Motley Rice, Rebecca served as a law clerk to the Honorable William H. Pryor Jr. of the Eleventh Circuit Court of Appeals, for whom she focused on appellate advocacy and conducted legal writing and research.

Rebecca earned a J.D. from the University of Virginia School of Law, where she served as Managing Editor of the *Virginia Law Review* and was named a member of the Order of the Coif. Before earning a law degree, she graduated Phi Beta Kappa from Washington and Lee University where she was a George Washington Honors Scholar and was honored with several awards during her studies in recognition of scholarship within the field of English language and literature.

Max N. Gruetzmacher

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of South Carolina

EDUCATION:

J.D., Marquette University Law School, 2008

B.A., University of Wisconsin-Madison, 2004

Max Gruetzmacher focuses his practice on securities and consumer fraud, representing large public pension funds, unions and other institutional investors in securities and consumer fraud class actions and shareholder derivative suits.

Max has represented clients in a variety of complex litigation cases, including the following: *City Of Sterling Heights Retirement System v. Hospira, Inc.*; *In re Coventry Health Care, Inc. Shareholders Litigation*; *In re Force Protection, Inc. Litigation*; *Minneapolis Firefighter's Relief Association v. Medtronic, Inc.*; *In re NYSE EURONEXT Shareholder Litigation*; *In re Par Pharmaceutical Companies, Inc. Shareholders Litigation*; *In re Synovus Financial Corp.*; *In re The Shaw Group Shareholders Litigation*; and *In re Winn-Dixie Stores, Inc. Shareholders Litigation*.

Prior to joining Motley Rice, Max gained experience working on a variety of complex discovery matters as a project attorney. He served as a legal intern during law school for the Wisconsin State Public Defender, Appellate Division, where he aided assistant public defenders in appellate criminal defense and handled legal research and appellate brief writing projects. Max was also a member of the Pro Bono Society and conducted research for the Legal Aid Society of Milwaukee.

He is a member of the South Carolina Bar Association and the Charleston County Bar Association.

Badge Humphries

LICENSED IN: KY, SC, TX, WV

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Fourth Circuit, U.S. District Court for the District of South Carolina, Eastern District of Michigan, Northern District of Illinois, Eastern District of Texas and Southern District of Texas

EDUCATION:

J.D., with honors, The University of Texas School of Law, 2001

B.A., *summa cum laude*, Tulane University, 1996

Badge Humphries represents institutional investors and individuals in complex securities fraud and shareholder litigation. He has achieved corporate governance enhancements for Motley Rice's clients in shareholder derivative cases and has litigated direct class actions in the Delaware Court of Chancery and other state courts. His shareholder litigation experience includes cases involving Massey Energy, The South Financial Group, Bankrate and Lear, among others. Securities fraud cases in which he has played a significant litigation role include actions against State Street, Synovus, Hecla Mining, UBS, Charles Schwab & Co., Vivendi and Washington Mutual. Badge has experience in many aspects of shareholder and securities fraud litigation, from initial case evaluation and complaint drafting to directing settlement negotiations of corporate governance reforms.

Badge has litigated other types of complex litigation as well. He has conducted discovery and motion practice before courts across the country and has participated in several multi-week trials representing victims of asbestos exposure, including a mass consolidation of more than 1,200 plaintiffs lasting eight weeks in Virginia state court and a three week trial in the U.S. District Court for the District of Maryland, Baltimore Division. He represented the Commonwealth of Kentucky's Division of Workers' Compensation Funds in claims against the manufacturers of allegedly defective dust masks and is involved with the firm's litigation efforts on behalf of people and businesses in Gulf Coast communities suffering as a result of the BP oil spill.

Badge was selected by his peers for inclusion in both the 2012 and 2013 *South Carolina Super Lawyers® Rising Stars* lists. A frequent guest lecturer, he recently presented for the South Carolina Association for Justice, Texas Association of Public Employee Retirement Systems (TEXPERS), Opal Financial Group's Investment Education Symposium in Conjunction with the Louisiana Trustee Education Council (LATEC) and the National Association of State Treasurers. Badge is also an active participant in the National Conference on Public Employee Retirement Systems (NCPERS) and the Council for Institutional Investors (CII). He is a member of the American Association for Justice and the James L. Petigru American Inn of Court and currently serves as the elected Consumer and Securities Law Section Chair of the South Carolina Association for Justice.

TEAM BIOS:

He previously served as the Director of Land Protection for the South Atlantic region of Ducks Unlimited, an international conservation organization. A member of Phi Beta Kappa, Badge worked for a nonprofit human rights organization before attending The University of Texas School of Law, where he was a member of the *Texas Law Review* and an honors graduate. He served as a judicial intern to the Honorable Lee Yeakel of the Texas Third Court of Appeals and later clerked with the Honorable Thad Heartfield of U.S. District Court, Eastern District of Texas.

John A. Ioannou

LICENSED IN: NY

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

U.S. District Court for the Eastern and Southern Districts of New York

EDUCATION:

J.D., St. John's University School of Law, 1994

B.S. magna cum laude, St. John's University, 1991

With 18 years of antitrust law experience, John Ioannou has sought monetary and equitable recoveries on behalf of consumers and businesses injured by allegedly illegal, anti-competitive conduct in complex antitrust matters.

John litigates antitrust matters in both federal and state court involving horizontal and vertical restraints of trade and monopolization claims in a broad range of industries. Prior to joining Motley Rice, he practiced at a large New York-based firm, where he actively litigated a variety of complex cases, including *In re American Express Anti-Steering Rules Antitrust Litigation*; *Garber, et al. v. Office of the Commissioner of Baseball, et al.*; and *Laumann, et al. v. National Hockey League, et al.*

John began his career as an Assistant Attorney General (AAG) in the Antitrust Bureau of the New York State Attorney General's Office, conducting confidential government antitrust investigations and litigating cases involving alleged anticompetitive acts in violation of federal and/or state antitrust laws on behalf of consumers, businesses and the State of New York in its proprietary capacity. As an AAG, he often worked in conjunction with other state attorneys general offices and federal agencies such as the U.S. Department of Justice and Federal Trade Commission. He also held leadership positions in multistate investigations and litigations.

John has managed litigation compliance and counseled major New York state agencies, as well as New York State political subdivisions, quasi-governmental entities and other public entities. He has also reviewed the competitive impact of transactions (mergers and acquisitions) in numerous industries, including airlines (United-US Airways), health insurance (GHI-HIP), minerals (road deicing salt), energy (Exxon-Mobil), supermarkets (A&P-Pathmark), publishing (Thomson-West Publishing) and enterprise software (Oracle-PeopleSoft).

John is fluent in Greek and is a member of the American Bar Association and New York State Bar Association.

Mathew P. Jasinski

LICENSED IN: CT, NY

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court, U.S. Court of Appeals for the Second Circuit, U.S. District Court for the District of Connecticut and Southern District of New York

EDUCATION:

J.D. with high honors, University of Connecticut School of Law, 2006

B.A. summa cum laude, University of Connecticut, 2003

An associate in Motley Rice's Securities and Consumer Fraud practice group, Mathew Jasinski represents consumers, businesses, unions and governmental entities in class action and complex cases involving consumer protection, unfair trade practices, commercial, environmental and securities litigation. Mathew additionally serves the firm's appellate group.

Mathew currently represents the plaintiffs in several putative and certified class actions involving such claims as breach of contract and unfair trade practices. He has experience in multi-forum cases regarding claims of fraud and breach of fiduciary duty and has represented an institutional investor in its efforts to satisfy a judgment obtained against the operator of a Ponzi scheme. Mathew has also worked on numerous appeals before several state and federal appellate courts throughout the country.

Mathew is the co-author of "On the Causes and Consequences of and Remedies for Interstate Malapportionment of the U.S. House of Representatives" (Jasinski and Ladewig, *Perspectives on Politics*, Vol. 6, Issue 1, March 2008) and "Hybrid Class Actions: Bridging the Gap Between the Process Due and the Process that Functions" (Jasinski and Narwold), *The Brief*, Fall 2009. Prior to joining Motley Rice in 2009, Mathew practiced complex commercial and business litigation at a large defense firm. He began his legal career as a law clerk for Justice David M. Borden of the Connecticut Supreme Court. During law school, Mathew served as executive editor of the *Connecticut Law Review* and judging director of the Connecticut Moot Court Board. He placed first in various moot court and mock court competitions, including the Boston region mock trial competition of the American Association for Justice. As an undergraduate, Mathew served on the board of associate directors for the University of Connecticut's honors program and was recognized with the Donald L. McCullough Award for his student leadership.

Mathew was selected by his peers for inclusion in the 2013 *Connecticut Super Lawyers® Rising Stars* list, and was honored with the *Hartford Business Journal's* "40 Under Forty" award in 2009.

Mathew continues to demonstrate civic leadership in the local Hartford community. He is a member of the board of directors for the Hartford Symphony Orchestra and has served on the city's Charter Revision Commission and its Young Professionals Task Force, an organization focused on engaging young professionals and positioning them for future business and community leadership. He is a member of the American Association for Justice, American Bar Association, Connecticut Bar Association, the Oliver Ellsworth Inn of Court and Phi Beta Kappa.

TEAM BIOS:

Joshua Littlejohn

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Third Circuit, U.S. District Court for the District of Colorado, District of South Carolina

EDUCATION:

J.D., Charleston School of Law, 2007

B.A., University of North Carolina at Asheville, 1999

Josh Littlejohn represents public pension funds, unions and other institutional investors in complex securities fraud cases, as well as shareholder derivative and takeover litigation.

In addition to handling discovery, case strategy and analysis, he plays a lead role in initial case selection and start-up with the firm's Securities and Consumer Fraud team. Josh also works closely with both individual and institutional investor clients to counsel them on all aspects of the litigation process, from filing the initial complaint to case resolution.

Josh's experience litigating takeover cases includes actions involving Atheros Communications, Inc.; PLATO Learning, Inc.; Allion Healthcare, Inc.; The DirecTV Group, Inc.; and Lear Corporation, among numerous others. He has also been central to the expansion of Motley Rice's shareholder derivative practice, litigating cases against boards of directors of publicly traded companies such as Omnicare, Inc.; Massey Energy Company; Cintas Corporation; Force Protection, Inc.; and Regions Financial Corporation. Securities fraud cases on which he has worked extensively include actions against NPS Pharmaceuticals and Pharmacia Corporation.

Josh additionally supports Motley Rice's Environmental team in its efforts to help people and businesses in Gulf coast communities that suffered economic loss, property damage and physical injuries due to the Deepwater Horizon oil spill. With experience handling medical drug and device cases, including a case against Merck & Co., Inc., related to the drug Vioxx®, Josh served as second chair at a 2012 trial in a medical malpractice action tried in Georgetown, S.C.

Josh was selected by his peers for inclusion in the 2013 *South Carolina Super Lawyers® Rising Stars* list, and is a member of the American Bar Association and South Carolina Association for Justice.

Christopher F. Moriarty

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of Colorado, District of South Carolina

EDUCATION:

J.D., Duke University School of Law, 2011

M.A., Trinity College, University of Cambridge, 2007

B.A., Trinity College, University of Cambridge, 2003

As a member of Motley Rice's Securities and Consumer Fraud practice group, Christopher Moriarty represents public pension funds, unions and other institutional investors in securities fraud class actions, mergers and acquisitions, and shareholder derivative suits.

Christopher has represented clients in a variety of complex litigation cases, including the following: *Bricklayers of Western Pennsylvania Pension Plan v. Hecla Mining Co.*; *City of Brockton Retirement System v. Avon Products, Inc.*; *Hill v. State Street Corporation*; *In re Hewlett-Packard Co. Securities Litigation*; *In re NYSE EURONEXT Shareholder Litigation*; *In re The Shaw Group Shareholder Litigation* and *Ross v. Career Education Corp.*

Prior to joining Motley Rice, Christopher served as a summer associate with an international law firm in Texas, where he gained experience in commercial litigation. He previously held internships with the Texas Defender Service, Texas Moratorium Network, and The Rutherford Institute, and has drafted *amicus curiae* briefs in numerous U.S. Supreme Court cases.

While in law school, Christopher was a member of the Moot Court Board and served as an Executive Editor of the *Duke Journal of Constitutional Law and Public Policy*. He also taught a course on constitutional law to LL.M. students.

Christopher was called to the Bar in England and Wales by the Honourable Society of the Middle Temple and is a member of the American Bar Association, the South Carolina Bar Association, the Charleston County Bar Association and the South Carolina Association for Justice.

William S. Norton

LICENSED IN: MA, NY, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First and Second Circuits

U.S. District Court for the District of Colorado, Northern

District of Illinois, Eastern and Southern Districts of New York, and District of South Carolina

EDUCATION:

J.D., Boston University School of Law, 2004

B.A./B.S. *magna cum laude*, University of South Carolina, 2001

Bill Norton litigates securities fraud, shareholder derivative, mergers and acquisitions, consumer fraud and general commercial matters. He has represented public retirement systems, union pension funds, investment companies, banks and private investors before federal and state courts around the country.

Bill has represented investors in a variety of complex litigation, including the following matters: *In re Alberto Culver Company Shareholder Litigation*; *In re Allion Healthcare, Inc., Shareholders Litigation*; *In re Atheros Communications, Inc., Shareholder Litigation*; *Bennett v. Sprint Nextel Corp.*; *In re Celera Corporation Shareholder Litigation*; *City of Brockton Retirement System v. Avon Products, Inc.*; *In re Coca-Cola Enterprises, Inc., Shareholders Litigation*; *In re Constellation Energy Group, Inc., Securities Litigation*; *Hill v. State Street Corporation*; *In re Netezza Corporation Shareholders Litigation*; *In re NYSE EURONEXT Shareholder Litigation*; *In re Par Pharmaceutical Companies, Inc. Shareholders Litigation*; *In re RehabCare Group, Inc., Shareholders Litigation*; *In re The Shaw Group Shareholders Litigation*; *In re Synovus Financial Corp.*; *In re The South Financial Group, Inc.*; *In re Vivendi Universal, S.A. Securities Litigation*; and *In re Walgreens Co. Derivative Litigation*.

TEAM BIOS:

Prior to joining Motley Rice, Bill practiced securities litigation in the New York office of Cadwalader, Wickersham & Taft LLP. Bill also served as a law clerk in the United States Attorney's Office for the District of Massachusetts, represented asylum seekers at Greater Boston Legal Services and volunteered at Neighborhood Legal Assistance Program of Charleston.

Bill served as an Editor of the *Boston University Law Review*, was a G. Joseph Tauro Distinguished Scholar, and studied law at the University of Oxford. Bill graduated Phi Beta Kappa from the University of South Carolina Honors College. As an undergraduate, Bill worked for the United States Attorney's Office for the District of South Carolina.

Bill is a member of the American Bar Association, the American Association for Justice, the South Carolina Bar, the New York State Bar Association and the Charleston County Bar Association. Bill was selected by his peers to the 2013 list of *South Carolina Super Lawyers® Rising Stars*.

Lance Oliver

LICENSED IN: AL, DC, FL, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the District of Columbia, Second, Fifth and the Eleventh Circuits, U.S. District Court for the District of Columbia

EDUCATION:

J.D., Duke University School of Law, 2004

B.A., Samford University, 2001

Lance Oliver represents institutional investors, unions and public pension funds in securities fraud class actions in federal court at both the trial and appellate levels. He also has experience handling unauthorized trading claims in FINRA proceedings and is currently litigating breach of contract and fraud claims arising from credit default swap investments. Lance additionally represents whistleblowers in *qui tam* actions under the False Claims Act.

Since joining Motley Rice's Securities and Consumer Fraud team in 2007, Lance has devoted a substantial amount of time to litigating and implementing settlements in securities fraud class actions. He has played a key role in the following cases: *In re Dell Securities Litigation*; *In re MBNA Securities Litigation*; *In re NPS Pharmaceuticals, Inc., Securities Litigation*; *In re RehabCare Group, Inc., Shareholders Litigation*; and *In re Select Medical Corporation Securities Litigation*.

Lance has also assisted in Motley Rice's efforts on behalf of victims of the Deepwater Horizon oil spill.

Prior to joining Motley Rice, Lance served as an associate in the Washington, D.C., office of a national law firm, where he litigated complex products liability actions. Lance also has experience in the areas of insurance coverage matters and the Freedom of Information Act.

After graduating from Duke Law School, Lance served as a law clerk to the Honorable James Hughes Hancock of the U.S. District Court for the Northern District of Alabama. He is an active member of the National Conference on Public Employee Retirement Systems (NCPERS) and the American Bar Association. Lance was selected by his peers for inclusion in the 2013 *South Carolina Super Lawyers® Rising Stars* list, and is recognized as an AV® rated attorney by Martindale-Hubbell®.

Meghan S. B. Oliver

LICENSED IN: DC, SC, VA

EDUCATION:

J.D., University of Virginia School of Law, 2004

B.A. with distinction, University of Virginia, 2000

Meghan Oliver represents unions and other institutional investors in securities fraud class actions and merger suits. Her practice focuses on both general litigation and evaluation of potential merger cases. While at Motley Rice, she has worked on securities fraud cases and merger cases involving MBNA, Medtronic, Washington Mutual and DirectTV, among others. Meghan also litigates consumer fraud cases.

Prior to joining Motley Rice, Meghan worked as a business litigation and antitrust associate in Washington, DC. There, she assisted in the trial of a multidistrict litigation antitrust case and assisted in multiple corporate internal investigations. She is a member of Phi Beta Kappa and the American Bar Association.

Michael J. Pendell

LICENSED IN: CT, NY

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of Connecticut, Southern and Eastern Districts of New York

EDUCATION:

J.D., *summa cum laude*, Albany Law School, 2007

B.A., *cum laude*, Emerson College, 2000

As an associate in Motley Rice's Securities and Consumer Fraud practice group, Michael Pendell represents individuals and institutional clients in complex securities and consumer fraud litigation, shareholder derivative suits and a wide array of other consumer and commercial cases.

Michael joined Motley Rice after serving as an associate with a Connecticut-based law firm, where he gained more than three years of experience in both federal and state courts in such areas as commercial and construction litigation, media and administrative law, personal injury defense and labor and employment matters. Michael was responsible for drafting complex pleadings, handling discovery, taking and defending depositions, and representing clients at prejudgment remedy hearings, arbitrations and trials.

Michael served as a legal intern for the Honorable Randolph F. Treece of the U.S. District Court for the Northern District of New York and as a law clerk for the Major Felony Unity of the Albany County District Attorney's Office. He served as the executive

TEAM BIOS:

editor for the *New York State Bar Association Government Law & Policy Journal* and senior editor for the *Albany Law Review*, which published his 2008 article entitled, "How Far is Too Far? The Spending Clause, the Tenth Amendment, and the Education State's Battle Against Unfunded Mandates." An avid writer, Michael has additional experience in freelance writing, as well as teaching, photography and film production.

In addition to being selected during law school as a Sponsor Teaching Fellow and ACES Teaching Fellow, he won both of Albany Law School's major moot court competitions, the Gabrielli Moot Court Appellate Advocacy Competition and the Karen C. McGovern Senior Prize Trials. He is also a New York State Bar Association Trial Academy graduate and a member of The Order of the Barristers and the Gold Key Honor Society. Michael is currently a member of the Connecticut Bar Association, the New York State Bar Association and the American Bar Association.

Ann K. Ritter **Senior Counsel and Securities Case** **Coordination Manager**

LICENSED IN: SC
ADMITTED TO PRACTICE BEFORE:
U.S. Court of Appeals for the Third and Eleventh Circuits
EDUCATION:
J.D., University of Tennessee, 1982
B.S., Florida State University, 1980

As Senior Counsel for Motley Rice, Ann Ritter plays a key role on Motley Rice's securities team, which represents domestic and foreign institutional investors in complex cases involving shareholder rights, corporate governance, securities and consumer fraud. She possesses more than 25 years of experience in complex litigation involving matters as varied as securities, products liability and consumer protection.

Ann serves as a frequent speaker on legal topics such as worker safety, shareholder rights and corporate governance. In 2007, she addressed leading German institutional investors as a keynote speaker on the impact of U.S. class actions at the Deutsche Schutzvereinigung für Wertpapierbesitz e. V. Practical Workshop for institutional investors in Frankfurt, Germany.

After earning a Bachelor of Science degree from Florida State University, Ann pursued a law degree from the University of Tennessee. She is the co-author of *Asbestos in Schools*, published by the National School Boards Association. Ann previously served on the Advisory Committee for the Tobacco Deposition and Trial Testimony Archives (DATTA) Project and currently serves on the Executive Committee of the Board of the South Carolina Special Olympics, the Advisory Board of the Medical University of South Carolina Hollings Cancer Center and the Advisory Board of The University of Mississippi School of Law. She is a member of the South Carolina Association for Justice and is recognized as a BV® rated attorney by Martindale-Hubbell®.

Lisa M. Saltzburg

LICENSED IN: SC, CO
ADMITTED TO PRACTICE BEFORE:
U.S. Court of Appeals for the Fourth Circuit
U.S. District Court for the District of South Carolina
EDUCATION:
J.D., Stanford Law School, 2006
B.A., with high distinction, University of California, Berkeley, 2003

An associate with Motley Rice's Securities and Consumer Fraud practice group, Lisa Saltzburg represents individuals and institutional clients in complex securities and consumer fraud actions, merger and acquisition cases, shareholder derivative suits and a variety of other consumer and commercial matters. Lisa also works closely with the Environmental team, helping people and businesses in Gulf Coast communities file claims through the new claims programs established by the two settlements reached with BP.

Prior to joining Motley Rice, Lisa was an associate attorney for a nonprofit advocacy organization, where she worked through law and policy to protect the environmental interests of the Southeast. She handled numerous legal matters, drafting briefs and other filings in South Carolina's federal and state courts and working with administrative agencies to prepare for hearings and mediation sessions. Lisa also served for two years as a judicial clerk for the Honorable Karen J. Williams of the U.S. Court of Appeals for the Fourth Circuit, where she developed valuable legal research and writing skills and gained experience involving a wide range of issues arising in civil and criminal cases.

Lisa held multiple positions in environmental organizations during law school, handling a broad array of constitutional, jurisdictional and environmental issues. She also served as an editor of the *Stanford Law Review* and as an executive editor of the *Stanford Environmental Law Journal*. A member of numerous organizations and societies, including the Stanford Environmental Law Society, Lisa attended the National Institute for Trial Advocacy's week-long Trial Advocacy College at the University of Virginia.

TEAM BIOS:

Alex R. Straus

LICENSED IN: MA, RI, SC

EDUCATION:

J.D., Roger Williams University School of Law, 2009

B.A., Rollins College, 1992

As a member of Motley Rice's Securities and Consumer Fraud team, Alex Straus represents individuals, unions, public pension funds and other institutional investors in securities fraud class actions and other shareholder lawsuits. In addition, Alex represents individuals in SEC whistleblower actions and in *qui tam* litigation under the False Claims Act.

Alex also has experience representing workers and family members suffering from mesothelioma or other asbestos-related diseases caused by occupational, environmental or household asbestos exposure. He is currently fighting on behalf of more than 2,000 merchant marines exposed to asbestos while on the job in litigation against ship owners and manufacturers of asbestos-containing products. In June 2013, Alex authored an *amicus curiae* brief filed in the Supreme Court of the United States in support of a shipyard worker killed as a result of asbestos exposure.

Alex previously worked as an associate attorney for a New York law firm handling construction, real estate, estate planning and family law cases. During this time, he represented construction industry employers, employer associations and ERISA funds in negotiating and drafting a broad range of contracts, policies and procedures as well as resolving and litigating disputes before state and federal courts. He also served as a family and divorce law mediator and is an American Arbitration Association (AAA) certified mediator.

Prior to joining Motley Rice as an associate, Alex served as a law clerk for the firm. Alex also clerked for The New England Patriots, working with the organization's General Counsel on real estate acquisitions, environmental compliance and collective bargaining issues.

An avid writer, Alex has authored two published books, *Medical Marvels: The 100 Most Important Medical Advances* (Prometheus Books) and *Guerrilla Golf: The Complete Guide to Playing Golf on Mountains, Pastures, City Streets and Everywhere But the Course* (Rodale Press), in addition to more than 100 nationally published feature-length articles. He was awarded the Kathleen Brit Memorial Prize in 2009 for Alternative Dispute Resolution, and the New York Press Association bestowed its Best Sports Feature award to Alex in 1999.

Alex serves as an Executive Board Member of the Gary Forbes Foundation, a nonprofit organization that advocates for diabetes research and education. Active in his community, he has volunteered with Volunteer of America's Operation Backpack, an organization that provides school supplies to more than 7,000 homeless children in New York City.

Elizabeth C. Ward

LICENSED IN: NC, SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Middle, Eastern and Western Districts of North Carolina and District of South Carolina

EDUCATION:

J.D. cum laude, University of South Carolina School of Law, 1999

B.A., University of North Carolina at Chapel Hill, 1995

Liza Ward's practice ranges from helping clients injured by acts of corporate negligence to seeking improvements in worker and environmental health and safety. She litigates commercial, products liability and personal injury cases with Motley Rice's Occupational and Toxic Tort practice group and additionally works with the Medical team to represent people affected by allegedly harmful prescription drugs such as Accutane®.

Liza is also heavily involved in the firm's consultation work for South African human rights lawyer Richard Spoor in the effort to take on leading global gold producers, seeking justice for tens of thousands of exploited gold mine workers suffering from silicosis. Few class actions have been brought in South Africa, and none have been filed for sick workers. If approved as a class, the suit would generate an unprecedented means of recovery for the country and ensure meaningful access to justice for the indigent and rural workers who are dying from this entirely preventable yet incurable disease.

Liza redirected her career to plaintiffs' law after working several years with large defense firms. At Motley Rice, she has represented welders harmed as a result of corporate malfeasance and conducted client relations and trial preparation for welding rod cases. In 2008, Liza was a member of the trial team that obtained the first welding fume plaintiff verdict in Mississippi state court since 2003.

Liza has advocated for domestic violence victims' rights by participating in training programs and pro bono litigation. She served as articles editor for the *South Carolina Law Review* while a law student at the University of South Carolina School of Law and is a member of the Order of the Wig and Robe.

TEAM BIOS:

SECURITIES LITIGATION PROFESSIONAL STAFF

Ellie Kimmel

EDUCATION:

B.A., University of South Florida, 1993

Business Analyst Ellie Kimmel began working with Motley Rice attorneys in 2000. Prior to her work with the securities litigation team, she was a founding member of the firm's Central Research Unit and also supervised the firm's file management. She currently completes securities research and client portfolio analysis for the firm's securities cases.

Ellie has a diverse background that includes experience in education as well as the banking industry. She began her career in banking operations, where she served as an operations manager and business analyst in corporate banking support for 14 years. She then spent seven years teaching high school economics, Latin and history before joining Motley Rice.

Lotan Korenblit

EDUCATION:

B.A., Syracuse University, 2007

Lotan Korenblit supports Motley Rice's Securities and Consumer Fraud Practice group as a Paralegal and Practice Development/Client Relations Specialist out of the firm's New York office. With more than seven years of experience specific to plaintiffs' securities work, she works closely with attorneys and other staff to manage litigation documents and discovery, prepare for depositions and maintain efficient communication with clients.

Prior to joining Motley Rice, Lotan worked as a Senior Paralegal for a New York-based plaintiffs' firm after first serving as an intern with the Office of the District Attorney in Onondaga County, where she helped with trial preparation and observed trials and arraignments. In addition to her legal experience, Lotan has a diverse technology background and is proficient in both administrative and legal software. Her legal and administrative skills, combined with her experience handling institutional client interactions, make her a valuable addition to the Motley Rice team.

Lotan is a member on the Corporate Advisory Board for Badges Supporting Fallen Officers' Families (Fallen), and is also a member of National Association of Professional Women (NAPW) and The International Women's Leadership Association (IWLA).

A graduate of Syracuse University, she majored in Political Science and was a Dean's Scholarship recipient and a member of the National Society of Collegiate Scholars. Fluent in Hebrew, Lotan was a foreign language tutor during her undergraduate studies.

Andrew Lucas

EDUCATION:

M.B.A., The Citadel, 2007

B.A., University of the South (Sewanee), 2003

Andrew Lucas joined Motley Rice in 2010. As a Business Analyst for the Securities and Consumer Fraud practice group, he plays a key role in analyzing investor trading activity related to securities litigation and is responsible for client portfolio monitoring, company research and settlement claims processing.

Prior to joining Motley Rice, Andrew traded equities, gaining valuable knowledge about the various influences that dictate market performance and drastically impact the short and long-term price movement of company stock. He also has previous work experience involving both commercial and residential real estate development and sales.

Evelyn Richards

EDUCATION:

A.S., Computer Technology, Trident Technical College, 1995

J.D., University of South Carolina School of Law, 1989

B.A., English Literature and Religion, University of Virginia, 1986

Evelyn Richards joined Motley Rice in 2007. As a law clerk for the Securities and Consumer Fraud practice group, she plays a key role in supporting the securities litigation team through editing, cite-checking and Shepardizing complaints, briefs, and other legal documents. She also trains support staff on how to use The Bluebook.

Evelyn has over fifteen years of experience in the legal field. As an Assistant Solicitor for the Ninth Circuit Solicitor's Office, she prosecuted child abuse and neglect and criminal cases. She also worked as a programmer/analyst for a few years. Prior to joining Motley Rice, Evelyn worked as an administrator for a large telecom, corporate and litigation firm, supervising all office operations, including human resources and accounting procedures. She also served as office manager for a small worker's compensation law office, where she managed trust and operating accounts and provided information technology support.

Evelyn's diverse background in information technology, management, programming and analysis adds great depth to the resources provided to Motley Rice clients.



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William H. Narwold (CT, DC, NY, SC) is the attorney responsible for this communication. Motley Rice LLP operates the California office. The images in this advertisement are dramatizations. Prior results do not guarantee a similar outcome. *PD: 11.01.2013*



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